

29-03-2023
Item no.9
Subrata

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
Appellate Side

CAN No.2 of 2023
with
CAN No.1 of 2012
(Old CAN No.300 of 2012)
in
FMA No.659 of 2012
Prem Lal Jain & Anr.
-vs-
Vinod Duger & Ors.

Mr. Soumyajit Mishra ...for the appellants

Mr. S. Dutt Majumdar
Ms. Pubali Sinha Chowdhury
Mr. Samik Biswas ...for the respondents

CAN No.2 of 2023 filed by the appellants/petitioners/plaintiffs is for dismissal of the appeal in view of the settlement arrived at between the parties during pendency of the appeal.

In view thereof, this application is allowed. The appeal stands dismissed as withdrawn without any liberty to file afresh in respect of the suit property or any portion thereof and against any of the defendants/respondents.

The interim order passed on May 4, 2012 stands vacated.

In view of the order in CAN No.2 of 2023, **CAN No.1 of 2012 (Old CAN No.300 of 2012)** stands dismissed. All interim orders stand vacated.

[Uday Kumar, J]

[Soumen Sen, J]

