

D/L
Item No. 10
09.08.2023
KOLE

**FMA 356 of 2021
With
IA No. CAN 2 of 2019 (Old No. 10020 of 2019)**

**Sandipan Chakraborty
-Vs.-
Smt. Uma Mukherjee & Ors.**

*Mr. Krishnendu Banerjee,
Mr. Idrish,
Mr. I. Ganguly,
Mr. I. Afrin,*

...for the appellant.

*Mr. Debnarayan Patra,
Mr. Arijit Bera,*

...for the respondent no. 1/writ petitioner.

The appellant had initiated a dispute case under the provisions of the West Bengal Cooperative Societies Act, 2006, against all the legal heirs of one Debnarayan Banerjee, since deceased. The case was decided in his favour.

An appeal preferred by the one of the legal heirs of Debnarayan Banerjee before the West Bengal Cooperative Tribunal, was dismissed. Challenging the order in the dispute case as also the order of the appellate forum, another legal heir of Debnarayan Banerjee, namely Uma Banerjee (respondent no. 1 herein) filed a writ petition before a learned Single Judge of this Court. The writ petition was allowed by setting aside both the orders impugned in the writ petition. Against such order of the learned Single Judge, the present appeal has been preferred.

We are told that the appellant and the respondent no. 1/writ petitioner have settled the disputes outside court. The writ petitioner is not interested in the present proceedings

any further and she would like to withdraw the writ petition since the appellant and the writ petitioner have amicably settled their disputes and the appellant has agreed to pay an agreed sum of money to the writ petitioner. We are told that upon payment of such money by the appellant to the writ petitioner, the latter will convey her right, title and interest in the concerned property to the appellant.

We allow the respondent no. 1/writ petitioner to withdraw the writ petition. Consequently, the order of the learned Single Judge also stands withdrawn/set aside. As a result, nothing remains in the present appeal which also stands disposed of along with the connected application. *Interim* order, if any, stands vacated.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)