

WPA 17940 of 2018

**Lakshi Mondal (Kanchan Mondal
since deceased)
Vs.
Tarakeswar Municipality & Ors.**

Mr. Tanmoy Mukherjee
Mr. Amal Kumar Saha
Mr. Iresh Paul

.....for the petitioner

Mr. Amitesh Banerjee
Mr. Suddhadev Adak

...for the State

Mr. Keshab Chandra Das
Ms. Aparajita Mondal
Mr. Biplab Adak

...for the Tarakeswar Municipality

Pursuant to the order dated 19th June, 2023 writ petition is taken up for consideration in presence of the learned advocates representing the petitioner, Tarakeswar Municipality and State-respondents.

Mr. Tanmoy Mukherjee, learned advocate representing the petitioner submits that pursuant to the direction contained in order dated 19th June, 2023 the Chairman of Tarakeswar Municipality held a meeting on 23rd June, 2023 at 12 noon in presence of the petitioner and Senior Deputy Secretary of UD & MA Department along with Law Officer of the Department and it has further been submitted before this Court that the claim of the petitioner against Tarakeswar Municipality has been settled on following terms:-

- i) Final amount of settlement against the claim of the petitioner is Rs. 15,00,000/- (Rupees Fifteen Lakhs only).
- ii) Out of aforesaid settled amount Rs. 10,00,000/- (Rupees Ten Lakhs only) would be paid on 23rd June, 2023 and rest 5,00,000/- (Rupees Five Lakhs only) would be paid by 30th September, 2023.

In view of aforementioned terms of settlement the learned advocate representing the petitioner has expressed satisfaction.

The learned advocates representing the municipality as well as UD & MA Department have filed their reports in the form of affidavits as per the previous direction of this Court. It appears from the affidavit affirmed by the Chairman of Tarakeswar Municipality that full and final settled amount has been fixed at Rs. 15,00,000/- (Rupees Fifteen Lakhs only) and there is an averment as it appears from paragraph 8 of the said report with regard to the payment of settled amount by two installments, first one would be Rs. 10,00,000/- (Rupees Ten Lakhs Only) and the rest amount of Rs. 5,00,000/- (Rupees Five Lakhs Only) to be paid by 30th September, 2023.

During course of hearing a cheque dated 23rd June, 2023 being No. 000222 issued by the concerned authorities of Tarakeswar Municipality drawn on ICICI Bank

Tarakeswar Branch to the tune of Rs. 10,000,00/- (Rupees Ten Lakhs Only) is handed over to the learned advocate for the petitioner.

This Court further directs in view of the settlement arrived at by and between the parties on 23rd June, 2023 Rs. 5,00,000/- (Rupees Five Lakhs only) shall be paid by the municipality by 30th September, 2023 in favour of the petitioner. Reports in the form of affidavits affirmed on behalf of Tarakeswar Municipality and UD & MA Department are taken on record.

Photocopy of the aforementioned cheque which has been issued in favour of the petitioner today is taken on record.

Accordingly, the writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)