

OCD-1

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
(Commercial Division)

AP/82/2021

NITU SHAW
VS
BHARAT HITECH (CEMENTS) PRIVATE LIMITED

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 29th August, 2023.

Appearance:

Mr. Rishad Medora, Adv.
Mr. Abhirup Chakraborty, Adv.
...for the petitioner

Mr. Sujit Banerjee, Adv.
...for the respondent

The Court:- Learned counsel appearing for the award-debtor seeks to withdraw the application filed under Section 34 of the Act. Counsel places a Terms of Settlement executed between the parties on 7th August, 2023, Clause 4 of which mentions that the First Party (the award-debtor/petitioner) shall have liberty to take back the Deed of Sale deposited with the Registrar, Original Side pursuant to an order passed by this Court on 19th March, 2021. Counsel accordingly seeks leave to take back the Deed of Sale which is presently lying with the Registrar, Original Side.

The award-holder is represented.

AP/82/2021 is accordingly dismissed as withdrawn in accordance with the Terms of Settlement executed between the parties on 7th August, 2023 which also provides for the petitioner to take back the Sale Deed.

The petitioner shall be at liberty to take steps before the Registrar, Original side of this Court for taking back the Deed of Sale and the learned Registrar will return the same in terms of this order.

(MOUSHUMI BHATTACHARYA, J.)

T.O.
A.R. (C.R.)