

OD-4

CS 99 of 2022
IA No.GA 1 of 2022, GA 2 of 2022
IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

PRAMOD JAIN & ORS.
VS.
IDEAL HEIGHTS PVT. LTD.

BEFORE:

The Hon'ble JUSTICE Arindam Mukherjee

Date : 13th January, 2023.

Mr. Sankarsan Sarkar, Adv.
Mr. Aditya Kanodia, Adv.
.for the plaintiffs
Ms. Meenakshi Manot, Adv.
Mr. Saubhick Chowdhury, Adv.
Ms. Tapasika Bose, Adv.
. . . . for defendant.

The Court :- This suit was transferred to undefended list on the defendant having failed to enter appearance and file written statement within the stipulated time. The defendant thereafter has taken out two applications respectively being GA 1 of 2022 and GA 2 of 2022. GA 1 of 2022 is an application under Sections 5 and 8 of the Arbitration and Conciliation Act, 1996, while GA 2 of 2022 is an application for granting leave to enter appearance and file written statement.

After the matter was heard, the parties have arrived at an out of court settlement by executing a Terms of Settlement dated 6th January, 2023 duly signed by the parties and counter-signed by their respective Advocates. Since the parties have entered into a settlement and to dispose of the suit on the basis of the said settlement, the following order is passed :

1. The applicatiion being GA 2 of 2022, by consent of the parties, is allowed to the extent of permitting the sole defendant to enter

appearance and file its Vakalatnama by 18th January, 2023.

2. The application being GA 1 of 2022 is dismissed as withdrawn.
3. The suit is decreed in terms of the Terms of Settlement dated 6th January, 2023. Let the decree be drawn up by treating the Terms of Settlement dated 6th January, 2023 as part thereof.

The suit is, accordingly, disposed of.

(Arindam Mukherjee, J.)