

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE

APO/102/2023
WITH
WPO 2576 OF 2022
IA NO:GA/1/2023

STHAPATI ENTERPRISES PVT. LTD. AND ORS.
VS
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:

The Hon'ble JUSTICE ARIJIT BANERJEE

The Hon'ble JUSTICE APURBA SINHA RAY

Date : July 26, 2023.

Appearance:

Mr. Indranil Roy, Advocate
Mr. Subhrangsu Panda, Advocate
Mr. Anindya Sundar Chatterjee, Advocate
....for Appellants

Mr. Krishna Das Poddar, Advocate
Mr. Subir Sabud, Advocate
..for Private Respondent

Mr. Gurudas Mitra, Advocate
Mr. Koyeli Bhattacharyya, Advocate
....for KMC.

THE COURT: It is submitted on behalf of the appellants and the private respondent that they have settled the disputes out of Court. The appellants shall pay a sum of Rs.14.50 lakhs to the private respondent (Rishikesh Paul) within a fortnight from date (August 9, 2023) by demand draft. Upon receipt of such demand draft by the private respondent, the

stop work notice issued by the Executive Engineer shall stand set aside. The appellants would be at liberty to complete the construction work at their premises.

Learned advocate for the private respondent says on instruction that the civil suit being TS No. 733 of 2020 that the private respondent has filed before the learned City Civil Court, shall be withdrawn by him within a fortnight from date.

Since the parties have settled the matter amicably, there would be no need for Mr. Puranjoy Konar, the empanelled Structural Engineer, who was appointed by the Registrar, Original Side to conduct inspection, to do the work. However, Mr. Konar is personally present in Court today. He has interacted with the parties and has fixed July 31, 2023, as the date for inspection. Since he has taken some trouble in the matter, the appellants shall pay to Mr. Konar a sum of Rs.10,000/- as his honorarium, within a week from date. Mr. Konar shall stand discharged upon receipt of such honorarium.

The appeal and the connected application, accordingly, stand disposed of.

(ARIJIT BANERJEE, J.)

(APURBA SINHA RAY, J.)