

IN THE HIGH COURT AT CALCUTTA  
Civil Appellate Jurisdiction  
ORIGINAL SIDE

APOT/261/2023  
with  
WPO/1486/2023  
GA/1/2023  
BHANU SONKAR AND ANR  
VERSUS  
KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:

The Hon'ble JUSTICE ARIJIT BANERJEE

AND

The Hon'ble JUSTICE SUPRATIM BHATTACHARYA

Date : 18<sup>th</sup> December, 2023.

Appearance:  
Mr. Arik Banerjee, Adv.  
Mr. Nilay Sengupta, Adv.  
Mr. Sujit Banerjee, Adv.  
...for the appellants  
Mr. Gurudas Mitra, Adv.  
Mr. Jayanta Kr. Dhar, Adv.  
...for KMC.  
Mr. Srijib Chakraborty, Adv.  
Mr. Sumitava Chakraborty, Adv.  
Mr. Deeptangrhee Kar, Adv.  
... for private respondent.

The Court : Finally the private parties to this litigation have settled the disputes between them. An agreement dated December 7, 2023 has been entered into by and between them. Copies of the said agreement have been filed in Court. Let the same be kept with the records.

The appeal and the connected application are disposed of in accordance with the aforesaid agreement.

Kolkata Municipal Corporation is not a party to the said agreement and the same will not in any manner be binding on it. However, we are told that a revised plan has

been submitted to the Kolkata Municipal Corporation (in short KMC) for sanction. KMC shall consider the same in accordance with law as expeditiously as possible.

The order of the Special Municipal Commissioner of KMC that was under challenge in the writ petition before the learned single Judge is, inter-alia, to the effect that sanctioned plan that is already there in favour of the privates respondents in this appeal, shall remain suspended till disposal of the suit in the City Civil Court.

In view of the settlement between the parties, that portion of the order of the Special Municipal Commissioner stands set aside.

[ARIJIT BANERJEE, J.]

[SUPRATIM BHATTACHARYA, J.]

dg/