

OD-6

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

IA NO.GA 4 OF 2023
IN
CS 304 OF 2022
IN THE MATTER OF:
TAGORE SOCIETY FOR RURAL DEVELOPMENT
VS
MR. KAZI MASUM AKHTER & ORS.

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date : 27th September, 2023.

Appearance:
Mr. Sooumya Das Gupta, Adv.
Mr. Avirup Chatterjee, Adv.
Ms. Tanuta Guray, Adv.
Ms. M. Jana, Adv.
For plaintiffs
Mr. Partha Sarathi Bhattacharyay, Sr.Adv.
Mr. Arindam Sen, Adv.
Mr. Raju Bhattacharya, Adv.
For defendant nos.2,5 and added party
Mr. Arjun Samanta, Adv.
Mr. Saptarshi Kr. Mal, Adv.
Defendant no.3.

The Court : Affidavit of service filed in Court today is taken on record.

This is an application by the plaintiff for withdrawal of the suit under the provisions of Order XXIII Rule 1 of the Code of Civil Procedure, 1908 without leave to file afresh.

Considering the statements made in the said application and hearing the defendants, it appears that the parties have entered into an out of Court

settlement by resolving all disputes being the subject matter of the suit as specified in the minutes of the meeting of the Board of Management of Tagore Society for Rural Development held on 21st August, 2023 at 46B, Arabinda Sarani, Kolkata – 700 005 at 2.30 PM. A copy of the minutes is annexed to this application and marked with Annexure- “A”.

Considering the aforesaid facts and circumstances, the suit being CS 304 of 2022 is treated as on the day’s list, by consent of the parties, and is dismissed as withdrawn.

With the withdrawal of the suit, all connected applications stand disposed of without any further order. Interim order, if any, stands vacated.

Since the parties have settled the disputes and the plaintiff has withdrawn the suit, the contempt petition being CC 10 of 2023 has also spent its force. The contempt application being CC 10 of 2023, which is returnable on 23rd November, 2023, is preponed and shall appear on 29th September, 2023, by consent of the parties.

(ARINDAM MUKHERJEE, J.)

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