

23.09.2024.
Court No.13
Item Nos.26 & 27
ap

F.A. No. 205 of 2012
Kalyani Roy Chowdhury & Anr.
Versus
Maya Mishra & Ors.
With
F.A. No. 303 of 2012
Vivekananda Roy Chowdhury
Versus
Maya Mishra & Ors.

Mr. Rabindranath Mahato,
Mr. Debabrata Chakraborty,
Mr. Aritra Shankar Roy.
...For the appellants in FA 205 of 2012.

Mr. Shuvasish Sen Gupta,
Mr. Arindam Guha,
Mr. Souvik Ghosh,
Mr. Abhrajit Roy Chowdhury.
...For the appellant in FA 303 of 2012.

Mr. Sudhir Bhattacharjee,
Mr. Gopal Krishna Mishra.
...For the respondent no.1
in both these appeals.

1. In terms of this Court's order dated 20th September, 2024, the parties have obtained instructions.
2. Counsel for the respondent/plaintiff submits that his client is agreeable to re-convey the property back to the two appellants in two appeals in proportion as may be decided between themselves.
3. Let the appellants prepare formal Deed/Deeds of Conveyance in two appeals and obtain the value of the property to the extent of 712 sq. ft. along with proportionate structure. Let the market value thereof be sent assessment by the Registrar of Assurances, Kolkata.

4. The market value as may be determined by the Registrar in terms of the applicable Rules, shall be the consideration payable to the respondent/plaintiff, which shall be paid to re-convey the subject property to the appellants in two appeals, as aforesaid.

5. It is expected that the aforesaid exercise is completed by the parties within a period of two months from date. Upon completion of the same no party shall have any further claim against the other and the lis shall rest.

6. For the reasons already recorded in the order dated 20th September, 2024 and in terms of the directions made herein above, F.A. No. 205 of 2012 and F.A. No. 303 of 2012 are disposed of.

7. There will be no order as to costs.

8. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)