

01.08.2024.
Court No.13
Item No. 34
pk

**F. A. 22 of 2006
CAN 16 of 2024
CAN 17 of 2024**

**Sri Lakhamshi Naya Patel and others
Versus
Sri Gopal Bagla and others**

Mr. Sartak Singh,
Mr. Aditya Sinha,
Ms. Antara Panja,
Mr. Ayan Mitra

...for the appellants.

Mr. Mahendra Prasad Gupta,
Mr. Shankha Maity,
Mr. Sumit Rudra

.., for the defendants.

1. Affidavit for compromise shown by the appellants affirmed on 10th May, 2024 is kept with the record.
2. It is submitted by the parties that the dispute has been mutually and amicably settled by and between the parties. Possession of the immovable property-in-question has been handed over to the decree holder/plaintiffs in the court below.
3. In view of the above, parties do not wish to proceed with the instant appeal any further.
4. A sum of Rs.12,40,987.75/- has been deposited by the appellants in the learned Civil Judge (Senior Division), 10th Court at Alipore pursuant to this Court's order dated 01.12.2005.

5. The decree holder/landlord/plaintiffs shall be entitled to withdraw the said amount together with any accrued interest thereon from the learned Civil Judge (Senior Division), 10th Court at Alipore upon the direction is made to the Registrar, Alipore Judges' Court in view of the aforesaid compromise. Particulars of the civil deposits made and the respective challan numbers and dates are annexed to CAN 16 of 2024 and CAN 17 of 2024.

6. With the aforesaid observations, CAN 16 of 2024 and CAN 17 of 2024 are hereby allowed and disposed of.

7. Hence, F. A. 22 of 2006 is disposed of based on the averments made in CAN 16 of 2024 and CAN 17 of 2024.

8. In view of disposal of F. A. 22 of 2006, all connected applications are also disposed of.

9. There shall be no order as to costs.

10. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)

