

09.05.2024
 Crt. No.21
 Item No.59
 PA

**SA 219 of 2017
 with
 IA No. CAN 1 of 2017
 (Old No. CAN 5197 of 2017
 with
 IA No. CAN 2 of 2017
 (Old No. CAN 11323 of 2017
 with
 IA No. CAN 3 of 2019
 (Old No. CAN 8638 of 2019)
 (Application not in file)
 with
 IA No. CAN 4 of 2024
 with
 IA No. CAN 5 of 2024**

**Smt. Manu Kar & Ors
 Versus
 Sri Hironmoy Das**

Mr. Jayanta Das
 Ms. Soumita Ghosh
 ...For the appellants.

Mr. Sounak Bhattacharya
 Mr. Sounak Mondal
 ... For the respondents.

The appellants and the respondent are being represented.

The appellants and the respondent in the instant appeal have filed a compromise petition.

From the said application it transpires that the respondent is the absolute owner of the premises No. 128/3/1/1 B.B. Ganguly Street P.O. Boubazar P.S. Muchipara while the appellants are the tenants.

The tenancy is in respect of two rooms, one kitchen situated on the second floor of the said building measuring about 275 sq. feet with common privy at a monthly rental of Rs. 34/- payable according to English calendar month.

The landlord filed a suit praying for eviction of the tenants and the said suit was dismissed on contest.

Being aggrieved by and dissatisfied with the judgment and decree passed by the Ld. Judge of the Trial Court, appeal was preferred by the landlord and the said Title Appeal was ultimately allowed and against the said judgment of reversal the instant appeal has been preferred by the tenants.

Ultimately the dispute has been settled between the parties out of Court and all the parties in the instant appeal have filed a compromise petition containing a copy of the agreement for compromise /settlement of dispute.

The Ld. Counsels representing the parties have submitted that the compromise between the parties dated 08.01.2024 contains all the terms and conditions which are within the provisions of law and nothing is beyond the provisions of law.

In such circumstance let the instant appeal be disposed of on compromise in accordance with the terms and conditions laid down in the agreement for

compromise/settlement of dispute dated 08.01.2024 which is 'Annexure-B' of the compromise application.

Let all the terms and conditions be part of the Judgment and decree.

As such the instant appeal is **disposed of** on compromise.

All parties to act in terms of a copy of the order downloaded from the official website of this Court.

(Supratim Bhattacharya, J.)