

19.03.2024
Item No.1
gd/ssd

FMA/837/2023
IA NO: CAN/1/2023
WEST BENGAL STATE ELECTRICITY
DISTRIBUTION COMPANY LIMITED AND ORS.
VS
ADHUNIK CORPORATION LTD. AND ANR.

Mr. Jaydip Kar, Sr. Advocate,
Mr. Debanjan Mukherjee
..for the Appellant.

Mr. Biswaroop Bhattacharya,
Mr. Nilay Sengupta
..for the Respondents.

1. We have heard the learned advocates for either of the parties.

2. By this judgment and order the appeal as well as the writ petition stand disposed of.

3. The parties have entered into a settlement. The terms of which have been reduced into writing dated 19th March, 2024. The terms of the settlement are as follows:

“(a). That the Writ Petitioner agrees that, they will not press for refund of the aforesaid deposited amount of Rs.45,00,000/- only (Rupees Forty Five Lacs) only along with interest, as directed by the Learned Single Judge in Judgment dated 25th April 2023.

(b). WBSEDCL has agreed to accept the said sum of Rs.45,00,000/- only (Rupees Forty Five Lacs) only in full and final settlement of their claim.

(c). That none of the parties shall have any further claim and counter claims, against each others, in any manner whatsoever, pertaining the allegations which is the subject matter of the Writ Petition.

(d). MAT No: 1131 of 2023 arising out of WPA No: 16229 of 2004 stands disposed of on the basis of the terms aforesaid. The Order dated 25th April 2023 would accordingly stand modified.”

4. The learned advocate appearing for the parties submitted that the appeal and writ petition will be disposed of in terms of the above settlement.

5. The above settlement is placed on record and the appeal and the writ petition stand disposed of on the above terms and the parties shall scrupulously comply with the terms agreed upon.

6. The terms of the settlement shall form part of the record.

7. There will be no order as to costs.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)