

19.11.2025

Sl. No.: 13

Court No.9

BM

FMAT (IR) 6 of 2023

+

IA NO: CAN 3 of 2025

UNION OF INDIA

VS

INDIAN OIL CORPORATION

Ms. Chandreyi Alam

Ms. Runu Mukherjee

... for the appellant

Mr. Amit Kumar Nag

Mr. Partha Banerjee

... for the respondent

1. Learned counsels for the parties are present.
2. Heard learned counsels for the parties.
3. This appeal is directed against the order dated 28th October, 2022 passed by the Learned Railway Claims Tribunal, Kolkata Bench in OA (III)/Kol/2011/0007 in favour of the respondent. The Appellant Union of India represented by the General Manager, South Eastern Railway being aggrieved by the said Judgment has come up with the instant appeal.
4. Learned counsels submit that during pendency of the appeal, the parties have entered into a terms of settlement and the appeal may be disposed in accordance with the said settlement.
5. Learned counsel draws attention to page 14 of the said application being IA No.: CAN 3 of 2025 containing terms of settlement wherein it is agreed that the appellant shall pay the respondent principal amount of Rs.6,00,25,548/- and by including the interest it

comes to Rs.6,25,48,265.55. The application fee is Rs.3,02,594/-, the Advocate fee is Rs.5,000/-. The total amount aggregate agreed to be paid by the appellant to the respondent is Rs.12,28,81,408/-. Such payment is agreed to be made within a period of 15 days from date.

6. Upon hearing the learned counsels and upon perusing the terms of settlement, this court is of the view that the terms of settlement is lawful and the petition filed by the parties should be allowed and this appeal should be disposed of in accordance with terms of settlement and compromise.

7. Thus, this application being IA No.: CAN 3 of 2025 stands allowed.

8. The appeal being FMAT (IR) No.6 of 2023 is disposed of in accordance with terms of compromise and settlement filed by the parties marked Annexure 'A' to IA No.: CAN 3 of 2025.

9. The order passed by the Learned Tribunal is accordingly modified to that extent.

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

11. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Biswaroop Chowdhury, J.)