

24.09.2025

Court No.25

Sl. No.56
Mujahid

CO 3005 of 2007
With
CAN 4 of 2025

Mrs. Iti Peters & Anr.
Vs.
Nikhil Kr. Majumder & Anr.

Mr. Amitava Mukherjee, Sr. Adv.,
Ms. Arpita Saha

...for the petitioners

Mr. Anirudhya Dutta,
Mr. Bijan Datta

...for the opposite party no.1

1. Both the learned counsel submits that the parties have reached on an amicable settlement on the following terms and conditions:-

“(i) That the applicants herein have decided to compromise the civil revision being C.O. No. 3005 of 2007 whereby the petitioners being the applicant nos. 1 and 2 will not proceed with the civil revision on merit any further.

(ii) That the civil revision filed by the petitioners will stand dismissed as withdrawn and the suit property will get transferred in the name of the applicant no. 3 being the opposite party no. 1 in the civil revision and the petitioner of the Pre-emption Misc. Case No. 10 of 2005 of the Court of the Learned Civil Judge (Junior Division) 2nd Court, Bolpur.

(iii) The petitioners in the C.O. No. 3005 of 2007 unequivocally undertakes before this Hon'ble Court that they will extend all cooperation and execute any and all conveyance to effectuate such transfer of the suit property to the Respondent No. 1 in the C.O. No. 3005 of 2007.

(iv) That the petitioners being the applicant nos. 1 and 2 herein will be entitled to withdraw the money being the consideration

amount deposited by the opposite party no.1, being the applicant no. 3 herein before the Court of the Learned Civil Judge (Junior Division) 2nd Court, Bolpur along with statutory compensation of Rs. 15,000/- from the Learned Trial Judge where the money has been deposited along with interest, if any accrued thereon.

(v) That there will be no further claim or counter claim of the parties hereto against each other and all claims and counter claims shall stand finally settle.

(vi) That the parties being the applicants herein will bear their respective costs without having any concern and connection with each other.

(vii) That the applicant no. 3 being the opposite party no. 1 herein will bear the cost of transfer of the suit property in question in his name and the applicant nos. 1 and 2 will render all legal assistance whatsoever require in that respect.

(viii) That while withdrawing the money deposited before the Learned Civil Judge (Junior Division) 2nd Court at Bolpur along with statutory compensation which shall be released behalf of the applicant herein, the applicant no. 3 being the opposite party no. 1 herein will render all assistance for withdrawal of the said money and extend his no objection thereto.

(ix) That this compromise petition shall form a part of the record and the orders passed by this Hon'ble Court while disposing of the civil revision being C.O. No. 3005 of 2007."

2. Both the learned counsel submits that they and their parties shall abide by the terms and conditions of the undertaking.

3. The compromise is taken on record. The parties are held bound by the terms and conditions of the settlement.

4. Learned counsel for the petitioners submits that view of the settlement, he has instruction not to proceed with the present petition.

5. The petition is disposed of as compromised.

6. All connected applications, if pending, are also disposed of.

7. TCR be sent back.

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

9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Dinesh Kumar Sharma, J.)