

27.02.2025

Sl.no. 81

Ct. No. 33

P.M.

C.R.R. 2743 OF 2014
With
CRAN 3 of 2015 (CRAN 1614 of 2015)
With
CRAN 6 of 2024
With
CRAN 7 of 2025

Mrs. Basudha Chakraborty & Ors.
- Vs -
Neeta Chakraborty.

Ms. Subhanwita Ghosh,
Ms. Sanada Bhattacharjee
... for the petitioners
Ms. Rituparna De Ghosh,
Mr. Souryadeep Ghosh
... for the Opposite party

1. The petitioners as well as opposite party in compliance with the order dated 01.10.2024 passed by this Court had filed an application at the Mediation Centre in compliance of the direction of the Hon'ble Supreme Court in Special Leave to Appeal in SLP 7507 of 2024 dated 20th September, 2024.
2. Both parties appeared at the Mediation Centre to undergo process of Mediation which resulted in amicable settlement of the disputes between the respective parties and final report was passed by Hon'ble Justice Toufique Uddin (Retired), Mediator, High Court at Calcutta on 13.12.2024 which inter alia stated as follows : -

“Both sides are present with their Learned Lawyer.

Mr. Narayan Prasad Chakraborty is also physically present alongwith Mrs. Neeta Chakraborty whereas Mr. Sankar Prasad Chakraborty and Mrs. Basudha Chakraborty are on online.

Keeping a clue with reference to the discussion lastly held the other day it is made clear to me that both parties gleefully and voluntarily have buried their hatchet by coming to a peaceful settlement on the following terms and conditions:

- a. *Nipping all issues in the bud once for all, Mrs. Basudha Chakraborty and Mr. Sankar Prasad Chakraborty will relinquish their claims over the property, situated at Premises No. BD-140 Sale Lake, Sector-I, Kolkata 700 064 by handing over all documents and keys and other ancillary matters and things if any to the other side. They will not claim anything over the building or premises in any manner whatsoever. The clear possession of the premises in question be handed over by Mr. Sankar Prasad Chakraborty and Mrs.*

Basudha Chakraborty to Mr. Narayan Prasad Chakraborty and Mrs. Neeta Chakraborty;

- b. All proceedings filed by and between the parties shall be withdrawn by the respective parties (pending in different forums including Hon'ble High Court);*
- c. So to speak there shall not be any scope for reopening any dispute by and between the parties at any point of time in future;*
- d. There shall not be any attempt to reopen the issue in future;*
- e. There shall not be further any attempt to move any Court or any other forum;*
- f. Necessary Court fees, if at all paid in any proceedings or something like this may be returned according to Rules;*
- g. The parties shall make endeavour to strictly comply with the terms and conditions as put forth by both parties;*
- h. Lastly there shall not be any monetary claim in future against each other;*
- i. Consequent upon the demise of late Shefali Chakraborty, the right to sue shall stand relinquished for ever;*

j. The other “Will” claimed by Sankar Prasad Chakraborty as the purported last Will which is under challenge in the Hon’ble High Court shall not be taken into consideration by any party in future i.e. there shall not be any force on this Will;

Of course I make it clear that in case any of the terms and conditions is violated by any of the parties the entire exercise of mediation process stand failed.

Thus all issues stand SETTLED.

Every thing will be completed within three month hence.

Let the case record along with this order be sent to the Hon’ble High Court immediately.”

In the above premises the issues being amicably settled between the parties through mediation CRR 2743 of 2014 and connected application are disposed of. The proceeding pending before the Trial Court being C 223 of 2013 is quashed.

(Ananya Bandyopadhyay, J.)

