

Item No.2
10.09.2025
Court. No. 1
SP

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

SAT/4/2024
IA NO: CAN/2/2025

PAWAN RAI
VS
SHANTI RAI AND ANR.

Mr. Suresh Kumar Mitruka, Adv.
Mr. Shruti Jadav, Adv.
Mr. Sujit Swami, Adv.

... for the Appellant.

Mr. Hasang Bhutia, Adv.
Mr. D. Kundu, Adv.

...for the respondents.

1. Appellant and the respondent no.1 have filed CAN 2 of 2025 which is a joint application for disposal of the second appeal on compromise by making the deed of agreement dated September 2, 2025, a part of the compromise decree, upon setting aside the judgment and decree passed by the learned District Judge, Darjeeling in OC 03 of 2023. Application is allowed.
2. The judgment and decree dated November 7, 2023 passed by the learned District Judge Darjeeling in OC 03 of 2023 is hereby set aside.

3. The second appeal is disposed of on recording compromise and, accordingly, the terms of the agreement dated September 2, 2025 be treated as part of the decree.
4. Accordingly, follow up steps be taken.

(Shampa Sarkar, J.)