

16.5.2025
SL No.20
Court No.1
(tk)

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Civil Appellate Jurisdiction**

**FMAT/9/2025
IA NO:CAN/1/2025**

Shining Star Beverages Private Limited and Anr.

-vs-

Divya Gurukulam

Mr. V. Prasand,
Mr. N. Paul,
Ms. S. Sen Paul,
Mr. B. Ghosh,
...for appellants.

Mr. B. Ghosh,
Ved Rai,
Mr. V. Saha,
...for respondent.

1. The matter was taken up before lunch and heard at length.
2. Learned counsels submitted that their clients were seriously negotiating a settlement.
3. The matter has been kept post lunch to hear submissions as regards payment.
4. The plaintiff/respondent has agreed to accept a sum of Rs.22 lakhs and the appellants have agreed to pay, in full and final settlement of all claims and counter claims, if any, against the defendant in Title Suit No.196 of 2024. Let the

said sum be paid within a period of ten days from date.

5. Upon receipt of the said sum of Rs.22 lakhs, any agreement of sale, either described by the plaintiff in the plaint or otherwise, shall stand discharged and/or cancelled. Neither party will thereafter shall have any obligation towards each other in any manner whatsoever in respect of the property mentioned in Schedules A, B, C and D to the plaint. The said properties shall remain with the defendant to the extent it is entitled to in law.
6. The plaintiff shall not have any claim whatsoever in respect of the said properties mentioned in Schedules A, B, C and D to the plaint.
7. In view of the aforesaid settlement and terms, T.S. No.196 of 2024, now pending before the learned Civil Judge, Senior Division, Siliguri, shall stand disposed of.
8. In view of the above order, the appeal and the connected application, if any, shall also stand disposed of.
9. Let a copy of this order be communicated to the Trial Court and be kept with the records of the suit.
10. There will be no order as to costs.

11. Urgent photostat certified copies of this order, if applied for, be supplied to the parties subject to their compliance with all the requisite formalities.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)