

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE
(Commercial Division)

APO/143/2023
WITH
AP/722/2022
IA NO: GA-COM/2/2024

SREI EQUIPMENT FINANCE LIMITED
VERSUS
M/S. SMS LIMITED AND ANR.

BEFORE:

The Hon'ble JUSTICE SOUMEN SEN

AND

The Hon'ble JUSTICE BISWAROOP CHOWDHURY

Date : 19th February, 2025.

Appearance:

Mr. Jishnu Saha, Sr. Adv.
Mr. Rudrajit Sarkar, Adv.
Mr. Aditya Kanodia, Adv.
...for the appellant

Mr. Soumabho Ghose, Adv.
Ms. Tiana Bhattacharyya, Adv.
Mr. Soumalya Ganguli, Adv.
...for the respondents

1. The affidavit filed on behalf of the appellant is taken on record.
2. In the said affidavit it is clearly stated that the appellant/award-holder and the respondents/award-debtors have during the pendency of the present appeal arrived at a settlement and in terms of the settlement, the award-debtors paid the entire settled amount to the appellant/award-holder. In view of such settlement, the appellant is not willing to proceed any further with the appeal.

3. In view of the clear stand taken by the appellant and the learned advocate for the respondents has also accepted that the matter has been settled, we dispose of the appeal and the connected application(s) by recording settlement between the parties.
4. The award is also fully satisfied.
5. The department is directed to record satisfaction of the award.
6. Learned Senior Counsel for the plaintiff, on instruction, has submitted that the plaintiff shall withdraw the commercial suit pending before the Rajarhat Commercial Court in terms of this order.

(SOUMEN SEN, J.)

(BISWAROOP CHOWDHURY, J.)