

20.05.2026.
Court No. 13
Item No. 14
sp

F.A.T. No. 391 of 2017
With
CAN 3 of 2026
Oriental Gem & Jewellery Co.
Versus
East India Hotels Limited (presently known as EIH
Limited)

Mr. Rajesh Upadhyay,
Ms. Susrea Mitra.

..for the appellant.

Mr. Emon Bhattacharya,
Ms. Pooja Sah,
Mr. Subhankar Dutta.

..for the respondent.

Re: CAN 3 of 2026

1. Learned counsels for the parties have recorded 'No Objection' to the appeal being taken up by this Court despite the personal grounds of one of us (Rajasekhar Mantha, J.).
2. CAN 3 of 2026 is an application recording a joint compromise settlement entered into by and between the appellant and the respondent. Both parties are represented before this Court.
3. The terms and conditions of the joint compromise are recorded in a settlement agreement dated 30th April, 2026 which has been signed by both the parties through their authorized representative, namely, Arun Kumar Bharany and Mohit Bharany, partners of the appellant and Mr. Rajaraman Shankar, Corporate and Legal Head of the respondent.

4. The appeal shall stand disposed of on the basis of the aforesaid settlement agreement dated 30th April, 2026.

5. The respondent has agreed to withdraw the suit being No. T.S. 1349 of 2017, now pending before the learned Civil Judge, 6th Bench, City Civil Court at Calcutta (EIH Limited Vs. Oriental Gem and Jewellery).

6. Let the terms and conditions of the settlement morefully described in Clauses 1 to 11 of the terms of agreement at pages 15 to 17 of Annexure "A" to CAN 3 of 2026 be recorded in a consent decree of this Court arising out of T.S. 743 of 2008.

7. With the aforesaid observations, the impugned judgment and decree passed in T.S. 743 of 2008 on 29th June, 2017 shall stand set aside.

8. Let a decree recording the aforesaid term be drawn up by the Registry as expeditiously as possible.

9. With the aforesaid observations, CAN 3 of 2026 is disposed of.

10. Consequently, all connected pending applications, if any, shall stand disposed of.

11. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)

(*Rai Chattopadhyay, J.*)