

Serial No. 35/2022
Register of Notary
DISTRICT: NORTH 24 PARGANAS

IN THE HIGH COURT AT CALCUTTA

CIVIL APPELLATE JURISDICTION

APPELLATE SIDE

F.M.A.T. 944 OF 2019

WITH

C.A.N. 1 OF 2019

C.A.N. 2 OF 2019

1. Birendra Kumar Chopra;

2. Ravindra Kumar Chopra,

Both residing at 88, College

Road, Rabindranagar Complex,

Block - G, 4th Floor, Flat No.

401, Howrah - 711 103

.....Appellants

Versus

1. Tarun Kumar Das, son of Late

Santi Ranjan Das, proprietor of



Birendra Kumar chopra
Ravindra Kumar chopra

Tarun Kumar Das

09 MAR 2022

M/s. Artland, residing at EE/13/8, Salt Lake City, Sector - II, Kolkata - 700 091, under Police Station - Bidhannagar (East), in the District of North 24 Parganas having its office earlier at CD-295, Salt Lake City, Sector - 1, Kolkata - 700 064 and presently at CJ - 30, Salt Lake Sector - II, Kolkata - 700 091, in the District of North 24 Parganas;

.....Respondent

2. Smt. Anjana Chanda, wife of Dr. Bikash Chanda and daughter of Late Bishnupada Das, residing at 23-D, Bade Raipur Road, under Police Station - Jadavpur, Kolkata - 700 032;



Brendra Kumar Chopra
Rawindra Kumar Chopra

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3. Amit Kumar Das, son of Late Bishnupada Das, earlier residing at E - 130, Salt Lake City, Sector - 1, Kolkata - 700 064, in the District of North 24 Parganas and also of 49, Suri Lane, under Police Station - Muchipara, Kolkata - 700 014;

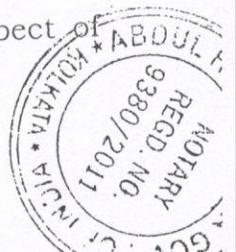
!.....Proforma Respondents

TERMS OF SETTLEMENT

1. * Due to intervention of common friends and well wisher and as per legal advice taken by the Appellants and the Respondent No. 1, the parties, hereto have agreed to a settlement in the abovementioned appeal along with all connected applications and the Title Appeal being Title Appeal No. 36 of 2012 pending before the Court of the Learned 3rd Additional District Judge at Barasat, North 24 Parganas, arising out of Title Suit No. 205 of 2010 in respect of

Birendra Kumar Chopra
Pravindra Kumar Chopra

Amit Kumar Das

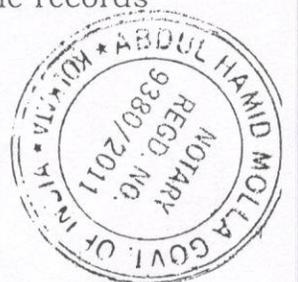


4.2395 Cottath land with one storied building situated in Plot No. 130 in Block – EC, Sector – 1, Salt Lake City, under Police Station - Bidhannagar (North), in the District of North 24 Parganas (hereinafter referred to as the “Suit Property”).

2. The Respondent No. 1 had filed a Title Suit being Title Suit No. 205 of 2010 before the Learned Court of Civil Judge, Senior Division, 2nd Court at Barasat, North 24 Parganas and subsequently a Title Appeal being Title Appeal No. 36 of 2012 which is pending before the Court of the Learned 3rd Additional District Judge, Barasat, North 24 Parganas against Arati Das and the proforma respondents seeking declaration that the Respondent No. 1 has right to do construction work as per an unregistered power of attorney.
3. Subsequently the Appellants, by way of a registered deed of assignment dated 5th April, 2013 got the lease assigned in their name from the Urban Development Department, Government of West Bengal against valid consideration. The names of the Appellants have been recorded as Lessee/ Transferee in the records

Brendra Kumar Chopra
Rowindra Kumar Chopra

Arati Das



of the Urban Development Department and the Bidhannagar Municipal Corporation.

4. By an order dated 10th September, 2018, the appellants have been added as a party in the Title Suit No. 205 of 2010 and Title Appeal No. 36 of 2012, both pending before the Learned Court of Civil Judge, Senior Division, 2nd Court at Barasat, North 24 Parganas and Court of the Learned 3rd Additional District Judge, Barasat, North 24 Parganas.
5. The Respondent No. 1 accedes to the absolute and undisputed title of the Appellants in the suit property. The Appellants shall continue to enjoy right, title, interest and possession in respect of the Suit Property.
6. The Respondent No. 1 admits that the Appellants are in possession of the suit property.
7. All disputes stand settled between the parties in Title Suit No. 205 of 2010 and Title Appeal No. 36 of 2012 including all connected applications.

Birendra Kumar Chopra
Ravindra Kumar Chopra

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8. In view of the settlement recorded between the parties the Title Suit No. 205 of 2010 and Title Appeal No. 36 of 2012, both pending before the Learned Court of Civil Judge, Senior Division, 2nd Court at Barasat, North 24 Parganas and Court of the Learned 3rd Additional District Judge, Barasat, North 24 Parganas respectively, shall stand dismissed.
9. The Respondent No. 1 shall have no claims against the appellants in respect of the suit property.
10. All orders passed in Title Suit being Title Suit No. 205 of 2010 and Title Appeal being Title Appeal No. 36 of 2012, both pending before the Learned Court of Civil Judge, Senior Division, 2nd Court at Barasat, North 24 Parganas and Court of the Learned 3rd Additional District Judge, Barasat, North 24 Parganas respectively, and orders passed in F.M.A.T. No. 944 of 2019 and all connected applications pending before the Hon'ble High Court at Calcutta, shall stand vacated in view of this Terms of Settlement.

Birendra Kumar Chopra
Ravindra Kumar Chopra

[Handwritten Signature]



11. The Appellants do not press for any reliefs against the Proforma Respondent Nos. 2 and 3.

12. The Respondent No. 1 and the Appellants shall bear their respective costs for litigation and neither party shall have any further claims against each other.

13. The Memorandum of Appeal being F.M.A.T. No. 944 of 2019 and the connected applications being C.A.N. 1 of 2019 and C.A.N. 2 of 2019 pending before this Hon'ble Court be disposed off in terms of this Terms of Settlement.

Birendra Kumar chopra

Rawindra Kumar chopra

Signature of the Appellants

Dikshita Chandel

Signature of the Advocate on Record of the Appellants

Jayant K Das

Signature of the Respondent No. 1

Advocate Mally

Signature of the Advocate on Record of the Respondent No. 1

Witnesses:

1. Dasipayan Ghosh
24, Mandeville Gardens
Kol - 700 019

2. Neeladree Jaiswal
37A, A.J.C. Bose Road,
Kol - 700017

Solemnly Affirmed and Declared before me u/s 297 (c) CRPC

ABDUL HAMD MOLLA
Adv. NOTARY
Govt. of India, C/N-9380/201
High Court, Gate No. E
(M) 9831104098



09 MAR 2022

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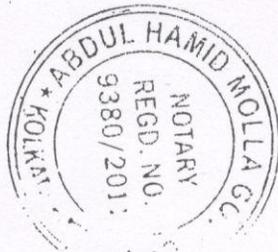
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 WITH
 C.A.N. 1 OF 2019
 C.A.N. 2 OF 2019

Birendra Kumar Chopra & Anr.
Appellants

Versus

Tarun Kumar Das
Respondent
 And

Smt. Anjan Chanda & Anr.
Proforma Respondents



5 9 MAR 2022

TERMS OF SETTLEMENT

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