

**IN THE HIGH COURT OF SIKKIM AT GANGTOK****J U D G M E N T****S.B. R.F.A. NO. 13 OF 2013**

Shri Tashi Dawa,
S/o Late Gondup Tenjha,
R/o Tibet Road,
Gangtok,
East Sikkim. - **Appellant**

Versus

Shri Chet Kumar Pradhan
@ Preetam Pradhan,
S/o Tara Prasad Pradhan,
R/o Tibet Road,
Gangtok,
East Sikkim. - **Respondent**

CORAM**HON'BLE MR. JUSTICE S. P. WANGDI, JUDGE****DATE OF JUDGMENT : 14.03.2014**

FOR THE APPELLANT : MR. A. MOULIK, SENIOR ADVOCATE
WITH MS. KESANG DIKI BHUTIA
AND MR. RANJIT PRASAD,
ADVOCATES.
MS. SONAM DIKI BHUTIA,
CONSTITUTED ATTORNEY FOR THE
APPELLANT IN PERSON.

FOR THE RESPONDENT : MR. B. SHARMA, SENIOR ADVOCATE
WITH MR. B. N. SHARMA,
ADVOCATE.
MR. CHET KUMAR PRADHAN,
RESPONDENT IN PERSON.

**Wangdi,J (Oral)**

This appeal is directed against the judgment dated 29.06.2013 passed by the learned District Judge, Special Division-I, Sikkim at Gangtok, in Eviction Suit No.05 of 2010, whereby the suit for eviction filed by the Appellant against the Respondent was dismissed.

2. During the course of hearing of the Appeal, parties had expressed their desire to settle the dispute out of court and by order dated 18.11.2013, time sought for for that purpose was allowed.

3. Today the learned Senior Counsels have informed that the matter has been settled amicably between the parties in terms of a Compromise Deed dated 25.02.2014. On being asked, the constituted attorney for the Appellant, Ms. Sonam Diki Bhutia and the Respondent, Shri Chet Kumar Pradhan, who are present in person, confirmed of the fact. A compromise petition has also been filed which has been duly supported by an affidavit duly affirmed by the respective parties.

4. In view of the above, nothing further requires to be gone into. The Appeal therefore stands disposed off as compromised.



5. The Compromise Petition accompanied by original Deed of Compromise dated 25.02.2014 is taken on record and treated as part and parcel of this order.
6. The Registry is directed to draw a decree in terms of this order incorporating the various terms and conditions of the Deed of Compromise dated 25.02.2014.
7. No order as to costs.
8. A copy of this order and the records of the learned trial Court be transmitted forthwith to the learned District Judge, Special Division – I, Sikkim at Gangtok.

Sd/-
(**S. P. Wangdi**)
Judge
14.03.2014