

**IN THE SUPREME COURT OF INDIA**  
**CIVIL APPELLATE JURISDICTION**  
**CIVIL APPEAL NO(S). 9408/2013**

**AMIT KUMAR BANERJEE**

**APPELLANT(S)**

**VERSUS**

**SUMITA CHAKRABORTY & ORS.**

**RESPONDENT(S)**

**ORDER**

1. This appeal has been preferred against the judgment dated 30.08.2011 passed by the High Court of Calcutta. The proceedings were initiated at the instance of respondent in reference to the disputed property 0.48 acres of land. The appellant and the respondents are siblings. The appellant is the brother and respondent nos. 1, 2 and 3 are the sisters. The High Court vide impugned judgment dated 30.08.2011 set aside the alleged sale deeds dated 12.11.1984 executed by their late mother in favour of the appellant.

2. Being aggrieved by the said judgment dated 30.08.2011, the appellant approached this Court by filing this appeal.

3. During pendency of the proceedings, the parties consented that it may be in their interest and for maintaining good relations, all the three sisters have joined together that if they are able to get 50% of the value of the property as determined by the chartered valuer in terms of its report dated 28.02.2013 along with 12% interest over the said amount, they would not like to pursue the matter any further.

4. The parties have jointly come forward and in terms of the consent recorded, the appellant has deposited Rs. 22,34,232/- (Rupees Twenty Two Lakhs Thirty Four thousand Two Hundred and Thirty Two only) in the registry of this Court vide DD Nos. 453902, 453903 & 453903 dated 17.03.2022 drawn on Indian Bank. This amount is agreeable to the respondents and has to be divided equally among them.

5. We, accordingly, dispose of this appeal by setting aside the judgment of the High Court impugned dated 30.08.2011 and direct that the amount which has been deposited by the appellant in this Court be equally apportioned in the ratio of 1/3rd to each, which comes to Rs.7,44,744/-(Rupees Seven

Lakhs Forty Four Thousand Seven Hundred and Forty Four only), on furnishing relevant bank details of each of the respondents directly in their saving bank account through RTGS or by any other mode acceptable to the parties.

6. The Civil Appeal along with pending application(s), if any, stands disposed of in the above terms.

.....**J.**  
**(AJAY RASTOGI)**

.....**J.**  
**(VIKRAM NATH)**

**NEW DELHI;**  
**MAY 12, 2022.**

ITEM NO.104

COURT NO.12

SECTION XVI

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 9408/2013

AMIT KUMAR BANERJEE

Appellant(s)

VERSUS

SUMITA CHAKRABORTY &amp; ORS.

Respondent(s)

Date : 12-05-2022 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AJAY RASTOGI  
HON'BLE MR. JUSTICE VIKRAM NATH

For Appellant(s) Ms. Soumya Chakraborty, Sr., Adv.  
Mr. Akash Verma, Adv.  
Mr. Danish Zubair Khan, AOR

For Respondent(s) Mr. Ranjan Mukherjee, AOR

Mr. Mrigank Prabhakar, AOR

UPON hearing the counsel the Court made the following  
O R D E R

The civil appeal stands disposed of in terms of the signed order.

Pending application(s), if any, stands disposed of accordingly.

(BEENA JOLLY)  
COURT MASTER (NSH)

(ASHWANI THAKUR)  
ASTT. REGISTRAR-cum-PS  
(Signed order is placed on the file)