

***IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ MAC.APP.NO.68/2008

Date of Decision : 26th November, 2010

%

OM PARKASH MISHRA
(decd. thr. Legal Heir's) Appellants
Through : Mr. O.P. Mannie, Adv. along
with appellant No.1(a)

versus

SHREY BATRA & ORS. Respondents
Through : Ms. Manjusha Wadhwa and
Ms. Pallavi Sharma, Advs.
for R-3.

**CORAM :-
HON'BLE MR. JUSTICE J.R. MIDHA**

- | | | |
|----|---|-----------|
| 1. | Whether Reporters of Local papers may be allowed to see the Judgment? | NO |
| 2. | To be referred to the Reporter or not? | NO |
| 3. | Whether the judgment should be reported in the Digest? | NO |

J.R. MIDHA, J. (Oral)

1. Appellant No.1(a) – Reema is present in Court along with her counsel and she submits that she is ready to settle this case for an enhancement of ₹2,50,000/- in full and final settlement. Ms. Manjusha Wadhwa, learned counsel for respondent No.3 submits that she has received instructions from respondent No.3 to agree to a settlement for enhancement of ₹2,50,000/- including interest.
2. The appeal is disposed of as settled. The terms of the settlement being that respondent No.3 shall pay a sum of ₹2,50,000/- to the appellants.

3. The aforesaid amount of ₹2,50,000/- be deposited by respondent No.3 with State Bank of India A/c Reema Tis Hazari Branch, Delhi through Mr. H.S. Rawat, Relationship Manager, Tis Hazari Branch, Tis Hazari (Mb: 09717044322) within 30 days.

4. Upon the aforesaid amount being deposited, the State Bank of India is directed to release a sum of ₹50,000/- to appellant No.1(a)-Reema by transferring the same to her Saving Bank Account. The remaining amount of ₹2,00,000/- be kept in fixed deposit in the following manner:-

- (i) Fixed deposit for ₹25,000/- in the name of appellant No.1(a)-Reema for a period of one year.
- (ii) Fixed deposit for ₹25,000/- in the name of appellant No.1(a)-Reema for a period of two years.
- (iii) Fixed deposit for ₹25,000/- in the name of appellant No.1(a)-Reema for a period of three years.
- (iv) Fixed deposit for ₹25,000/- in the name of appellant No.1(a)-Reema for a period of four years.
- (v) Fixed deposit for ₹50,000/- in the name of appellant No.1(b)-Master Mohit till he attains the age of majority.
- (vi) Fixed deposit for ₹50,000/- in the name of appellant No.1(c)-Master Rohit till he attains the age of majority.

5. The interest on the aforesaid fixed deposits shall be paid monthly by automatic credit of interest in the Savings Account of appellant No.1(a).
6. Withdrawal from the aforesaid account shall be permitted to the appellants after due verification and the Bank shall issue photo Identity Card to the appellants to facilitate identity.
7. No cheque book be issued to the appellants without the permission of this Court.
8. The Bank shall issue Fixed Deposit Pass Book instead of the FDRs to the appellants and the maturity amount of the FDRs be automatically credited to the Saving Bank Account of the beneficiary at the end of the FDRs.
9. No loan, advance or withdrawal shall be allowed on the said fixed deposit receipts without the permission of this Court.
10. Half yearly statement of account be filed by the Bank in this Court.
11. On the request of the appellants, Bank shall transfer the Savings Account to any other branch according to the convenience of the appellants.
12. The appellants shall furnish all the relevant documents for opening of the Saving Bank Account and Fixed Deposit Account to Mr. H.S. Rawat, Relationship Manager, Tis Hazari Branch, Tis Hazari (Mb: 09717044322).
13. Copy of the order be given dasti to counsel for both the parties under the signatures of the Court Master.

14. Copy of this order be also sent to Mr. H.S. Rawat, Relationship Manager, Tis Hazari Branch, Tis Hazari (Mb: 09717044322) under the signature of Court Master.

NOVEMBER 26, 2010

aj

J.R. MIDHA, J