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

+ **FAO(OS) 95/2015 and CM No. 3737/2015**

USHA BHAGAT

..... Appellant

Through: Mr Kamal Mehta, Mr M.A. Niyazi,
Mr Sandeep Khatri, Ms Anamika Niyazi and
Mr Manish Kumar, Advocates with
Mr Mahender Kumar, husband and power of
attorney holder of the appellant

versus

SEEMA MALIK & ORS

..... Respondents

Through: Mr P.K. Malik, Advocate for R-1 with
Ms Seema Malik in person
Mr Hemant Malhotra, Advocate for R-2 with
Ms Saroj Arora in person
Mr Amit Rao, Advocate for R-3 with
Ms Rajni Kukreja in person

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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13.03.2015

The appellant is represented by her husband Mr Mahender Kumar who is also the Power of Attorney Holder for her. The said Mr Mahender Kumar is also respondent No. 4 in the present proceedings. The respondent Nos. 1, 2 and 3, who are sisters, are present in court. It has been agreed and undertaken by the appellant and respondent No. 3 that they shall jointly pay a sum of Rs 1.75 crores to respondent No. 1 and a sum of Rs 1.75 crores to respondent No. 2. This payment will be in respect of the sale of the shares of respondent Nos. 1 and 2 in the property bearing No. B-231, Derawal Nagar, Delhi. The respondent Nos. 1 and 2 agree and undertake that they shall execute the sale deeds in favour of the appellant and respondent No. 3. It has also been agreed by the appellant, respondent No. 3 and respondent Nos. 1 & 2 that the payment of the said amount of Rs 1.75 crores to respondent Nos. 1 and 2 each shall be made within the four months from today. This order has been passed in the presence of all the four parties namely, the appellant (represented by her husband and

Power of Attorney Holder), respondent No. 1, respondent No. 2 and respondent No. 3. They are also represented by counsel and each one of them is identified by their respective counsel. Each one of them confirms the settlements and undertakings recorded above. They shall file affidavits by way of undertaking within a week incorporating the above undertakings. In token of their acceptance and confirmation of the above undertakings, each of the aforesaid parties have placed their signatures on the order sheet. We also make it clear that the undertakings given and the settlement arrived at by the parties are accepted by us and the parties are bound by the same. The impugned order dated 05.01.2015 is set aside. Since the parties have shown a tendency for amicably resolving their issues, it would be an opportune time for the learned Single Judge to expeditiously dispose of the other issues remaining between the parties. The appeal stands disposed of in terms of the agreement / settlement arrived at between the parties and as indicated above.

BADAR DURREZ AHMED, J

MARCH 13, 2015
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SANJEEV SACHDEVA, J

- (1) Mr Mahender Kumar, husband and power of attorney holder of appellant (also respondent No. 4)
- (2) Ms Seema Malik, respondent No. 1
- (3) Ms Saroj Arora, respondent No. 2
- (4) Ms Rajni Kukreja, respondent No. 3