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

+ EX.P. 420/2014

SATYA GUPTA

..... Decree Holder

Through: Mr. Anuj Gupta, Advocate with
Ms. Rashmi Bansal, Advocate with Mr. Abhay
Ram Gupta, LR of the Decree Holder in person.

versus

GUNEET SINGH

..... Judgement Debtor

Through: Mr. Sanjay Dewan, Advocate with
Judgment Debtor in person.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

O R D E R

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13.07.2015

EX.APPL.(OS) 255/2015 (for bringing on record the legal heirs of the deceased Decree Holder)

1. The present application has been filed by the applicants/two legal heirs of the deceased Decree Holder, stating *inter alia* that the Decree Holder had expired on 26.02.2015. A copy of his death certificate has been filed with the application. It is submitted that she is survived by the applicants, i.e., her husband and the daughter. It is stated that the Decree Holder had executed a registered will dated 11.11.2013, whereunder she had bequeathed the suit property exclusively in favour of her husband. The daughter of the Decree

Holder has filed an affidavit stating *inter alia* that she has accepted the will dated 11.11.2013 executed by her mother, whereunder the suit property has devolved upon her father and she has no objection to her father being impleaded as the sole Decree Holder in the present proceedings.

2. Counsel for the Judgment Debtor states that he has no objection to the present application being allowed.

3. For the reasons stated in the application, the same is allowed. Mr. Abhay Ram Gupta, husband of the deceased Decree Holder is permitted to be brought on record as her legal heir. The amended memo of parties is taken on record. The same be placed in part-I file.

4. The application is disposed of.

EX.P. 420/2014

1. Counsels for the parties jointly state that during the pendency of the present proceedings, the parties have arrived at a settlement through the Delhi High Court Mediation and Conciliation Centre, that was reduced into writing on 25.03.2015, whereunder the Judgment Debtor has agreed to purchase the share of the deceased Decree Holder in the suit property for a sum of Rs.32 lacs, out of which, a sum of Rs.9 lacs has already been paid to Mr. Abhay Ram Gupta, the

successor-in-interest of the Decree Holder. Ms. Jyoti Gupta, daughter of the Decree Holder and Mr. Abhay Ram Gupta are stated to be confirming parties to the Settlement Agreement.

2. Counsels for the parties state that the sale deed in respect of half of the undivided share in the suit premises belonging to the Decree Holder shall be executed on or before 25.07.2015, i.e., within four months from the date of execution of the Settlement Agreement.

3. The Court has perused the Settlement Agreement dated 25.3.2015. The same has been signed by the Decree Holder, his daughter, Ms. Jyoti Gupta, the Judgment Debtor, their respective counsels and the learned Mediator.

4. As counsel for the Decree Holder states that on execution of the sale deed in respect of half of the undivided share of the Decree Holder in the suit property in favour of the Judgment Debtor, the Decree Holder shall receive the balance sale consideration from the Judgment Debtor, nothing further survives in the present petition, which is accordingly disposed of.

HIMA KOHLI, J

JULY 13, 2015
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