Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 70 OF 2014
IN
TESTAMENTARY PETITION NO. 1760 OF 2013

Inderpal Singh Anand …Plaintiff
Versus
Gurdev Kaur Sethi …Defendant

Mr. Vijay B. Dhingreja, *for the Plaintiff.*
Mr. Nitesh R. Mishra, *for the Defendants No. 1 and 2.*

CORAM: G.S. PATEL, J
DATED: 27th July 2016

PC:-

1. The Suit is settled.

2. Consent Terms are tendered. These are signed on behalf of the the Plaintiff by the 3rd Defendant, his Constituted Attorney (in the circumstances mentioned below), and by the four Defendants as also their Advocates. The persons shown as Defendants Nos. 3 and 4 to the Consent Terms, viz., Mr. Palhad Singh Anand and Mr. Ranjit Singh Anand, were not originally Defendants to the Suit since they had filed consent Affidavits. However, since these Consent Terms are being filed between all members of the family, it is

appropriate that they also be joined as Defendants as necessary parties. There was never any contest or dispute between the Plaintiff and Defendants Nos. 3 and 4. Their joinder now is a formality. Mr. Dhingreja's application for impleading Defendants Nos. 3 and 4 is separately allowed.

3. The Plaintiff is represented by the newly added Defendant No. 3 (one of the two who had initially consented). Mr. Dhingreja tenders a Special Power of Attorney dated 17th August 2013 executed by the Plaintiff in favour of the 3rd Defendant. The 3rd Defendant and the other signatories are personally present in Court. The Plaintiff is presently said to be in London.

4. I have seen the Consent Terms and I am satisfied that they are not contrary to law, have been drawn by the parties on their own volition and reflect the parties' true intentions. The Consent Terms are taken on record and marked "X" for identification. The undertakings in the Consent Terms are accepted as undertakings to the Court.

5. The Suit is disposed of in accordance with the Consent Terms. Drawn up decree is dispensed with. Refund of Court fees, if any, in accordance with the Rules.

6. The issuance of probate is expedited. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)