

\$~24

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

+ RFA 62/2010

RAM RAKHA MAL DECD. THR LRS. Appellant

Through: Mr. Puneet Bhatnagar and Ms.
Richa S. Bhatnagar, Advocates

versus

CHAMPA ARORA & ORS. Respondents

Through: Mr. Arun Batta, Advocate for
respondents No.2 to 5, 5A-B & 6

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

%

14.02.2017

C.M.No.5761/2017 (impleadment)

By way of this application, legal heirs of appellant No.10-Smt. Swaran Arora, appellant No.11-Smt.Krishna Arora and respondent No.1-Smt. Champa Arora are sought to be brought on record. It is submitted by both the sides that appellant No.9-Manish Arora and respondent No.6-Sunil Arora are the only legal heirs of appellant No.10-Swaran Arora. It is further submitted by both the sides that appellant No.12-Saurabh and appellant No.13-Pooja Arora are the only legal heirs of appellant No.11-Smt. Krishna Arora. It is next submitted by both the sides that respondent No.2-Raj Kumar Arora and respondent No.3-Manoj Kumar Arora are the only legal heirs of respondent No.1-Smt. Champa Arora.

In light of the stand taken as aforesaid, the application is allowed and the amended memo of parties of 8th February, 2017 is taken on record.

The application stands disposed of.

C.M.No.5760/2017

In this appeal against impugned judgment dismissing probate petition and suit for possession, the present application under Order 22 Rule 3 of CPC has been filed jointly by both the sides. A decree in terms of the settlement arrived at between the parties as reflected in paragraph No.4 of the instant application is sought. This application is accompanied by affidavits of all the parties.

Learned counsel for the parties submit that all the parties to this appeal are present in the Court and they affirm the contents of their affidavits filed in support of this application. The terms of settlement as reflected in paragraph No.4 of the instant application has been read out to the parties and they affirm it. The application is allowed and the impugned judgment is set aside with a direction that a decree in terms of settlement as recorded in paragraph No.4 of the instant application be drawn while reflecting the details of the two properties as mentioned in paragraph No.3 of the instant application.

With aforesaid directions, this application is disposed of.

RFA 62/2010

This appeal is disposed of in terms of order passed above in C.M. 5760/2017 while setting aside the impugned judgment.

**(SUNIL GAUR)
JUDGE**

FEBRUARY 14, 2017

s