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

+ TEST.CAS. 51/2006

SMT. VANDANA SEHGAL Petitioner

Through : Mr.Ashish Aggarwal, Advocate alongwith
petitioner in person.

versus

THE STATE & ORS. Respondents

Through : Mr.Simran Mehta & Ms.Jyoti Sagar, Advs. for R3
alongwith R3 in person.

+ TEST.CAS. 58/2007

SHRI VIVEK TANDON Petitioner

Through : Mr.Simran Mehta & Ms.Jyoti Sagar, Advs along
with petitioner in person.

versus

STATE AND ORS. Respondents

Through : Mr.Ashish Aggarwal, Advocate for R3 alongwith
R3 in person.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

% **30.10.2017**

**IA 12520/17 (u/O XXIII R 1 CPC) in Test.Cas. 51/2006 &
IA 12279/17 (u/O XXIII R 3 CPC) in Test.Cas. 58/2006**

For the reasons mention in the order below, the IAs are
disposed of.

Test.Cas. 51/2006 & Test.Cas. 58/2006

1. The parties in both the cases are present with counsel.
2. Respondent No.2 – Kusum Tandon has already expired. It is informed that legal heirs of the deceased are already on record and they are the petitioner and respondent No.3 only.

3. Respondent No.4 is stated to be only executor of the Will.
4. The matter is settled between the parties. I have enquired from the parties present in person and their counsel if the matter has been settled between the parties with free consent. It is informed that the matter has been settled vide Memorandum of Family Settlement dated 17.10.2017. It is signed by the parties and the witnesses. Terms and conditions of the settlement have been incorporated in the Memorandum of Family Settlement which shall be exhibited as P1 by the Registry. The Memorandum of Family Settlement is also accompanied by a site plan, it will be exhibited as P2 by the Registry.
5. It is informed that there are no other legal heirs of the deceased Om Chand Tandon .
6. Since the matter has been settled between the parties who are closely related to each other, this Court finds no legal impediment to the family settlement executed between the parties vide Family Settlement dated 17.10.2017.
7. In view of this, terms and conditions contained in the Family Settlement dated 17.10.2017 are accepted. The parties shall be bound by the terms and conditions of the settlement. In case of breach of any of the terms and conditions of the family settlement, the parties shall be at liberty to move an application for revival of the case.
8. Both the petitions stand disposed of in the above terms.

OCTOBER 30, 2017 / tr

S.P.GARG, J