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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO 379/2012 and C.M. Appl. No. 17835/2015 (for clarification of order dt. 28.7.2015, filed by R-3)**

MAHESH CHAND & ANR Appellants
Through: Mr. Ankit Jain, Advocate.

versus

STATE & ORS Respondents
Through: Ms. Sonal Sinha, Advocate for R-2, 3,
4, 6 and 7.

CORAM:
HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER
17.05.2017

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1. The disputes between the parties pertaining to devolution of the assets of late Sh. Rameshwar Prasad have been settled in terms of the settlement agreement dated 16.1.2017 entered into between the parties before the Delhi High Court Mediation and Conciliation Centre.
2. Since the main case is a probate case, and not a civil suit in a civil court, hence no decree can be passed which would be executable, though otherwise the agreement dated 16.1.2017 is an agreement falling within the scope of Order 23 Rule 3 CPC.
3. Accordingly, this probate petition is disposed of by taking on record the settlement agreement dated 16.1.2017 and the parties will be bound by the terms and conditions as stated in the settlement agreement dated 16.1.2017.

4. In case of breach of any term of the settlement parties are in accordance with law entitled to enforce their remedies.
5. The appeal is disposed of accordingly binding the parties to the settlement agreement dated 16.1.2017.

VALMIKI J. MEHTA, J

MAY 17, 2017

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