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IN THE HIGH COURT OF DELHI AT NEW DELHI

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TEST.CAS. 60/2015

KANTA SHARMA & ORS

..... Petitioners

Through: Mr. Rajiv Ranjan Mishra, Advocate with
Mr. Saurabh, Advocate.

versus

STATE GNCTD & ORS

..... Respondents

Through: Mr. Manish Kumar, Advocate for
respondent No.2.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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11.08.2017

Present petition has been filed for grant of probate of will dated 18th September, 2012 executed by late Smt. Shanti Devi.

During the pendency of the present proceedings, the petitioner No.1 had unfortunately expired and her legal representatives have been brought on record.

On 15th December, 2016, the present suit was referred to the Delhi High Court Mediation and conciliation Centre.

Mediation in the present case has been successful through the efforts of Mr. Atul Batra, Advocate-Mediator.

A Settlement Agreement dated 09th March, 2017 has been executed between the parties.

Both the learned counsel state that the parties shall comply with the terms mentioned in the aforesaid Settlement Agreement.

Learned counsel for parties state that respondent No.2-Mr. Sushil Banerjee has already paid Rs.6,75,000/- (being half of the settlement amount) to petitioners No.2 to 4 and petitioners No.1(i) to 1(iii) collectively and respondent No. 3 in accordance with aforesaid Settlement Agreement.

Learned counsel for respondent No.2-Mr. Sushil Banerjee further assures and undertakes to this Court that the balance sum of Rs.6,75,000/- each shall be paid to the petitioners No.1(i) to 1(iii) collectively and petitioners No.2 to 4 and respondent No.3 on or before 31st March, 2018.

This Court has also perused the Settlement Agreement dated 09th March, 2017 and is of the opinion that the same is lawful.

The statements, assurances and undertakings given by both the learned counsel are accepted by this Court and parties are held bound by the same.

In view of the aforesaid Settlement, learned counsel for petitioner does not wish to press the present petition.

Consequently, present petition is dismissed as withdrawn with liberty to the petitioner to seek revival of the same in the event, the Settlement Agreement dated 09th March, 2017 is not complied with by Mr. Sushil Banerjee.

MANMOHAN, J

AUGUST 11, 2017

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