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

+ **FAO(OS) 64/2017 & C.M.Nos.4550/2017 (permission to file additional evidence) & 4548/2017 (for stay)**

ROMA BHAGAT BARAYA

..... Appellant

Through Mr.Tarun Frey, Adv with petitioner in person.

versus

MALA BHAGAT BALI & ANR

..... Respondent

Through Mr.Tanmay Mehta, Adv with R-1 in person.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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11.07.2018

1. Pursuant to the order dated 27.02.2018, whereby the parties who are siblings were referred to mediation, the Delhi High Court Mediation and Conciliation Centre has submitted a Settlement Agreement dated 16.05.2018. The said agreement has been signed by the parties and their counsels as also the learned Mediator.

2. The appellant and learned counsel for the respondent no. 1 state that the Settlement Agreement dated 16.05.2018 has recorded all the terms and conditions of the settlement arrived at between the parties and now no further dispute is pending between them in respect of the estate of their parents, including all moveable and immoveable properties.

3. Learned counsel for the respondents states that he has brought a Demand Draft bearing no. 496868 dated 17.05.2018 of Rs. 10 Lakhs

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in the name of the petitioner, in terms of the conditions recorded in clause 3(i) of the Settlement Agreement. The same is handed over to the appellant through counsel.

4. The parties shall remain bound by the terms and conditions of the settlement as recorded in the Settlement Agreement dated 16.05.2018, which is taken on record.

5. Learned counsels for the parties state in unison that the respondent no. 1 is entitled to refund of the court fee in terms of Section 16(A) of the Court Fee Act and it has been agreed upon between the parties that the said court fee once received by the respondent no. 1, shall be paid over to the appellant.

6. It is accordingly ordered that the respondent no.1 shall be entitled to seek refund of court fee in terms of Section 16 (A) of the Court Fee Act.

8. The present appeal is disposed of alongwith the pending applications in terms of the Settlement Agreement dated 16.05.2018, while leaving the parties to bear their own costs.

HIMA KOHLI, J

REKHA PALLI, J

JULY 11, 2018/sr/rd