

\$~24 & 25 (common order)

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

+ CS(OS) 2951/2014 & IA No.4120/2017, 3251/2018

MARGUERITE CHAWLA

..... Plaintiff

Through : Ms.Deepti Gupta, Advocate with
plaintiff in person.

versus

MISS KIRAN ABNASHI CHAWLA & ANR

..... Defendants

Through : Mr.Abhishek Kumar Rao and
Ms.Bhavya Bharti, Advocate for
defendant No.1.

Mr.Rajiv K Nanda and Ms.Jyoti
Kataria Bajaj, Advocates for
defendant No.2.

+ TEST.CAS. 84/2014 IA Nos.3397/2016, 4793-4794/2016, 4792/2016,
3256/2018, 5290/2015, 3255/2018, 5800/2016, 16628/2014
16629/2014, 4003/2016

KIRAN ABNASHI CHAWLA & ANR

..... Petitioners

Through : Mr.Abhishek Kumar Rao and
Ms.Bhavya Bharti, Advocate for
petitioner No.1.

Mr.Rajiv K Nanda and Ms.Jyoti
Kataria Bajaj, Advocates for
petitioner No.2.

versus

STATE

..... Respondent

Through : Mr.Siddharth Dutta, Advocate for
respondent No.1.

Ms.Deepti Gupta, Advocate for
Mrs.Marguerite Chawla.

Mr.K.K.Bhuchar, Advocate for
objector Dr.N.P.S.Chawla.

Mr.B.L.Wali, Advocate for objector
Nirmal Chawla Daniere.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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13.03.2018

Both the parties moved IA No.3256/2018 jointly in Test Case No.84/2014 for settlement of both the matters. It is stated that they have settled the issues between them as they have come to realise that for their own peace and for the peace of the soul of Late Harinder Pal Singh Chawla and also for the peace of the 'Chawla Family', each of the applicants shall duly acknowledge the important role played by the other in the life of late Harinder Pal Singh Chawla and shall bury their past differences.

It is also stated with the help and intervention of Mrs.Nirmal Chawla Danere/objector, sister of Late Harinder Pal Singh Chawla, the applicants have amicably settled all their issues and disputes regarding the estate of late Harinder Pal Singh Chawla and have entered into the Settlement dated 03.03.2018. The settlement deed along with the Schedule I is annexed with the application and is collectively marked as Exhibit C1.

It is prayed Ex.C1 be taken on the record and present Probate Case along with CS (OS) No.2951/2014 be disposed of in terms of the settlement deed – Ex.C1 (Colly). It is submitted the settlement has been arrived at voluntarily between the parties without any undue influence and coercion from any corner.

The learned counsels appearing for objector Dr.N.P.S.Chawla

and Mrs.Nirmal Chawla submit as the matter has been settled and Will has been abandoned so they have no objection if both the cases are disposed of in accordance with the settlement agreement Ex.C1.

The learned counsel appearing for Mr.Vishal Singh and Mr.Rajesh Kumar, Advocates says it has also been agreed in case both the advocates approached this Court for quashing of the FIR No.255/2016 and 66/2017 registered at Police Greater Kailash – I, New Delhi, the parties to the suit/petition shall cooperate in quashing the FIRs.

In the circumstances, the Probate Case No.84/2014 and CS (OS) No.2951/2014 are disposed of in terms of Ex.C1, more specifically in terms of clauses No.(i) *to* (vi) of settlement dated 03.03.2018. The amount of ₹ 13.00 Crores approximately lying deposited with this Court be released with upto date interest in terms of the settlement *Ex.C1*. Since the matters have been settled between the parties, the Court Fee paid in CS (OS) No.2951/2014 be refunded as per the provisions of the Court Fees Act.

The pending applications also stand disposed of. Decree Sheet be prepared and Ex. C1 shall form part thereof. No order as to cost.

The earlier date fixed in both the matters stands cancelled.

YOGESH KHANNA, J

MARCH 13, 2018

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