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

+ TEST.CAS. 45/1995

ASHIM KHURANA

..... Petitioner

Through: None.

versus

THE STATE & ORS

..... Respondents

Through: Mr. Avinash Sharma and Mr. Madhav Dadhich, Advocates for R-2.

**CORAM:**

**HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER**

% **11.03.2019**

1. The present case was decided vide judgement dated 11<sup>th</sup> July 1997. Later, the executor sought permission of the Court to deposit a sum of Rs. 40,000/- in this Court. The said application was disposed of vide order dated 8<sup>th</sup> May 2002 in the following terms:

“By this application the executor seeks permission of this Court to deposit in this Court a sum of Rs. 40,000/-. In the application it is stated that despite best efforts the applicant has not been able to pay the sum of Rs. 10,000/- to Shri Dayal Singh, servant of the deceased and Rs. 30,000/- to Smt. Bhagyawati Devi, sister of the deceased, as per the stipulation in the will dated 24<sup>th</sup> June 1992. In view of the circumstances explained in the application, the executor is permitted to deposit the said amount in this Court. The amount shall be kept in the CCD account.

The application stands disposed of.”

2. The matter was thereafter listed before the Court on 31<sup>st</sup> May 2018 as per Office Note. Pursuant thereto, Court notice was issued to the parties and

also to the counsel contesting the matter when the judgment was passed on 11<sup>th</sup> July 1997.

3. Thereafter on 3<sup>rd</sup> December 2018, it was noted that Respondent Nos. 1 and 3 had expired. Counsel for the Respondent No. 2 submitted that they have no objection in case the amount of Rs. 40,000/- be deposited with the legal aid cell of this Court. The Petitioner has also filed a No Objection Certificate to this effect. The matter is placed before this Court for directions. In view of the statement made by the Petitioner and Respondent No. 2, the amount of Rs. 40,000/- vide order dated 8<sup>th</sup> May 2002, be deposited before this Court with the Delhi High Court Legal Services Committee.

4. In light of the above the case is disposed of along with the pending applications.

**SANJEEV NARULA, J**

**MARCH 11, 2019**

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