

\$~44

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

+ **FAO 42/2018**

GURDHYAN SINGH BHOLA & ANR Appellants

Through Mr. M.G. Vacher, Advocate with
appellants in person.

versus

THE STATE (NCT OF DELHI) & ORS Respondents

Through Ms. Jyoti Taneja with Mr. Vidur
Kamra, Advocates for GNCTD.
Mr. Joginder Sukhija, Advocate for
respondent Nos.2 and 3 with
respondent Nos.2 and 3 in person.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **24.01.2020**

CM APPL.2917/2020 (for disposal on compromise)

1. By this application, parties seek disposal of the appeal based on a compromise.
2. With the consent of the parties, the application is allowed.
3. Appeal is taken up for consideration today.
4. The next date of 12.05.2020 is cancelled.

FAO 42/2018

1. Appellants impugn order dated 12.05.2017, whereby, probate was granted of the Will dated 09.04.2013 left by late Sh. Sohan Singh, the father of the parties. The appellants and the respondent Nos.2 and

3 are the brothers and sons of Sh. Sohan Singh.

2. Learned counsel for the parties submit that the respondent No.4 Smt. Kamlesh Kohli, daughter of late Sh. Sohan Singh, has already accepted the Will and does not impugn the same.

3. Learned counsel for the appellants as well as the respondent Nos.2 and 3 submit that the parties have entered into a settlement on 15.01.2020, whereby, the appellants also confirm the Will dated 09.04.2013 left behind by Sh. Sohan Singh and withdraw their objections to the grant of probate.

4. Further, it is contended that the parties have also agreed to divide the property by metes and bounds, as mentioned in the Memorandum of Settlement dated 15.01.2020 and as shown in the site plan annexed to the settlement.

5. The appellants and the respondent Nos.2 and 3 are present in Court in person. They confirm the Memorandum of Settlement dated 15.01.2020 and undertake that they shall abide by the terms and conditions contained therein.

6. Learned counsel for the parties further submit that there is also a civil suit pending between the parties and they shall also be applying to the Civil Court for recording the terms of the settlement and partition.

7. The Memorandum of Settlement dated 15.01.2020 along with the site plan demarcating the proposed division is taken on record.

8. In view of the above, learned counsel for the appellants seeks leave to withdraw the appeal.

9. Appeal is, accordingly, dismissed as withdrawn.

10. Order *Dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

JANUARY 24, 2020
st

