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IN THE HIGH COURT OF DELHI AT NEW DELHI

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TEST.CAS. 42/2021, I.A. 45811/2024, I.A. 5929-5931/2025 & I.A. 9915/2025

ADITYA MITTAL

.....Petitioner

Through: Ms. Manju Nanda, Advocate
versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Gourav Mundra, Advocate for
Ms. Avni Singh, Panel Counsel for
GNCTD
Ms. Manju Sharma, Adv. for R-2
Mr. Rajeev Sharma, Sr. Adv. (through
vc) with Ms. Shruti Sharma, Ms.
Shreya Sharma, Mr. Nishant Kandpal
& Mr. Aman Singh, Advocates for R-
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CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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21.04.2025

I.A. 9915/2025 (under Order XXIII Rule 3 read with Section 151 of the
Code of Civil Procedure, 1908 for appropriate directions)

TEST.CAS. 42/2021

1. Learned counsel for Respondent No. 2 and learned senior counsel for Respondent No. 3 states that the present petition pertains to the devolution of the estate of late Mrs. Sarla Prasad on the basis of Will dated 17.04.2015.

They state that however, Respondent Nos. 2 and 3, along with other family members, have entered into a Memorandum of Family Settlement ('MoFS') dated 19.09.2022, which records the oral family arrangement made on 27.07.2022.

2. It is stated the said state MoFS has been placed on record before the



Coordinate Bench in CS (OS) 417/2020, and a decree in terms thereof has been passed on 06.02.2023 and this decree is a subject matter of Ex. P No. 8/2025.

3. Learned senior counsel for Respondent No. 3 further submits that Respondent No. 3 has already withdrawn its objections to the Will dated 17.04.2015, as recorded in the previous orders of this Court and also as reflected in Clause 3.1.2(v) of the MoFS. It is submitted that, in light of the MoFS and the decree passed on 06.02.2023, the present probate petition may now be disposed of in terms thereof.

4. Learned counsel for Respondent No. 2 also confirms the due execution of the MoFS and submits that Respondent No. 2 shall abide by the terms and conditions contained therein.

5. Learned counsel for the Petitioner states that in view of the MoFS and the decree dated 06.02.2023 passed in CS (OS) 417/2020, the Petitioner does not press for any further directions in the present proceedings.

6. In view of the above submissions and the mutual settlement of the inter-se rights of the parties in the estate of late Mrs. Sarla Prasad, the present petition is disposed of as not pressed.

7. The statement of the parties i.e. Respondent nos. 2 and 3 that they shall abide by the terms of the MoFS and the decree dated 06.02.2023 is taken on record and they are bound down to the same.

8. Pending applications stand disposed of.

MANMEET PRITAM SINGH ARORA, J

APRIL 21, 2025/msh/akp

Click here to check corrigendum, if any