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

+ TEST.CAS. 41/2025 with I.A. 10072/2025, I.A. 10073/2025

RAJAT GANGAHAR

.....Petitioner

Through: Ms. Shreya Singhal, Ms. Kushagra,
Ms. Mhasilenuo Kreditsu and Ms.
Vijayrajeshwari, Advocates along
with petitioner through VC.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Avni Singh, panel counsel for
GNCTD.
Mr. Ravi Kapoor and Ms. Aditi
Singhal, Advocates for R-2 along
with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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05.12.2025

1. I.A.30445/2025 is a joint application filed on behalf of the parties under Order XXIII Rule 3 of the Code of Civil Procedure, 1908 (CPC) seeking to record a compromise on the basis of the Memorandum of Settlement dated 6th November, 2025 ('Settlement Agreement') arrived at between the parties before the Delhi High Court Mediation and Conciliation Centre.
2. The Memorandum of Settlement records into writing the Oral Family Settlement entered into on 6th August, 2025.



3. The Settlement Agreement, which bears the signatures of the petitioner and the respondents, has been placed on record.
4. The petitioner is present virtually and respondent no.2 is physically present in Court and affirm their signatures on the Settlement Agreement as well as the terms of the Settlement Agreement.
5. It is submitted that one of the terms of the settlement is that the present petition be converted into a civil suit. Counsel has relied on the judgment of a coordinate bench in *Harinder Singh Kochhar v. State* wherein the reference received from Additional District Judge was answered by a coordinate bench to hold that a petition seeking probate of a Will could be treated as an ordinary civil suit with the consent of the parties. It was, however, clarified that in the event of parties seeking a probate as one of the reliefs, the Court would have to ensure that the formality of proving the Will is duly complied with.
6. In the present case as well, the petitioner had originally sought Letters of Administration of the Will under Section 276 of the Indian Succession Act, 1925. However, as per the terms in the Settlement Agreement, the parties are no longer seeking Letters of Administration in respect of the Will.
7. In view of the fact that parties have entered into a settlement to resolve their disputes, it would be expedient to convert the present petition seeking the Letters of Administration in respect of the Will into civil suit.
8. Accordingly, the testamentary petition is converted into a suit.
9. Registry is directed to re-number the suit appropriately in accordance with the High Court Rules.



CS(OS) (to be numbered)

10. I have perused the terms of the Settlement Agreement and do not find anything unlawful therein.
11. The parties shall remain bound by the terms of the Settlement Agreement.
12. In terms of the settlement, it is declared that respondent no.2 (Ms. Sumati Singh), being the wife of Late Mr. Samir Gangahar, is his sole class-I legal heir and is solely and exclusively entitled to the entire estate of Late Mr. Samir Gangahar.
13. The Surviving Members Certificate bearing No. 9066000277173 issued by the Revenue Department, Govt. of NCT of Delhi, Office of District Magistrate, Karawal Nagar, North-East District stands cancelled.
14. A direction is also issued to M/s Leo Burnett, Anand Rathi and Banks/Financial Institutions to release the moveable assets/monies/securities / investments/deposits as mentioned in paragraph 6 of the application including *inter alia* those held by or otherwise available with the aforementioned, in name of Late Sh. Samit Gangahar, in favour of respondent no. 2, *i.e.* Ms. Sumati Singh.
15. In view of the order passed above, the suit is decreed in terms of the settlement arrived at between the parties. The application, I.A.30445/2025, as well as the Settlement Agreement shall form part of the decree.
16. A decree sheet be drawn up accordingly.
17. The suit along with all pending applications, including I.A.30445/2025, stands disposed of.
18. Counsel for the parties submit that considerable efforts have been put by the learned mediator Ms. Veena Ralli, Advocate in order to arrive at a



settlement. Therefore, the Court records its appreciation for the efforts put in by Ms. Veena Ralli to facilitate a settlement between the parties.

DECEMBER 5, 2025

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AMIT BANSAL, J