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

+ **CS(OS) 66/2024 & I.A. 1744/2024**

SMT SUDHA JINDAL & ORS.

..... Plaintiffs

Through: Ms. Archana Pathak Dave & Ms. Swarupama Chaturvedi, Senior Advocates with Shashank Bajpai, Ms. Vidula Mehrotra, Mr. Kaveesh Nair, Ms. Mahima Mukherjee, Mr. Gopi Chand, Mr. Shubhankar Singh & Ms. Aashna Mehra, Advocates.

versus

SMT SANCHITA JINDAL & ORS.

..... Defendants

Through: Mr. Vikas Dhawan, Senior Advocate with Mr. Bharat Gupta, Mr. Varun Tyagi, Advocates [M:-9810444651] for D-1 with D-1 in Person.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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24.01.2024

1. Plaintiff No. 3 and defendant No. 1 are a married couple, albeit estranged. The present suit has been filed by the husband of defendant No. 1 and his parents, against her and their two minor children. A fourth plaintiff, who is not a member of the family, and has been impleaded, but his status is not relevant for the purposes of the present order.

2. The suit concerns an immovable property [*D-12, D Block Vivek*



Vihar, Phase-I, Delhi 110095] in respect of which plaintiff No. 1 [mother-in-law of defendant No. 1] executed a sale deed dated 22.08.2019 in favour of defendant No. 1. There are also three other proceedings between the parties – for divorce, under the Domestic Violence Act, 2005, and an injunction suit filed by defendant No. 1, which are pending before the jurisdictional forum.

3. Mr. Vikas Dhawan, learned Senior Counsel for the defendants, appears on advance notice, and, *inter alia*, contests the maintainability of the suit in view of the provisions of Section 7 of the Family Courts Act, 1984.

4. Without getting into this question, having regard to the familial relationship between the parties, it has been put to learned counsel on both sides as to whether the parties would be agreeable to making an attempt to resolve all their disputes through mediation.

5. Learned Senior Counsel for the parties state that they are willing to make such an attempt, although attempts at settlement have not been successful in the past. They assure the Court that their clients will make an earnest attempt to arrive at an amicable resolution, particularly keeping the interests of the minor children in mind.

6. The disputes are referred to mediation under the aegis of *Samadhan*, Delhi High Court Mediation and Conciliation Centre, Shershah Road, New Delhi-110503. At the request of learned Senior Counsel for the parties, it is also observed that, if possible, the matter may be referred to mediation of Mr. Rajiv Virmani, Senior Advocate, Mr. Sudhanshu Batra, Senior Advocate or Ms. Veena Ralli, Advocate, or of any other senior mediator.



7. Learned Senior Counsel state that the parties will be physically present before the learned mediator on the date fixed.
8. List before the mediator on 08.02.2024.
9. List before the Court on 27.03.2024.

PRATEEK JALAN, J

JANUARY 24, 2024

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