

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).7341/2010

(From the judgement and order dated 13/11/2009 in RFA No.19/2000 of The HIGH COURT OF DELHI AT N. DELHI)

ANIL KUMAR & ORS.(D) TR.LRS. Petitioner(s)

VERSUS

RAKESH KUMAR JAIN & ORS. Respondent(s)

(With prayer for interim relief and office report )

Date: 26/07/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE V. GOPALA GOWDA

For Petitioner(s) Mr. Pawan Shree Agrawal, Adv.  
Mr. Madhur Jain, Adv.

For Respondent(s) Ms. Abhisar Bairagi, Adv.

UPON hearing counsel the Court made the following  
O R D E R

This petition is directed against judgment dated 13.11.2009 passed by the Delhi High Court in R.F.A (OS) No. 19 of 2000.

On 22.2.2013, learned counsel for the parties made an agreed statement that their clients are willing to go for mediation by Shri Justice B.N. Agrawal (former Judge of this Court).

The documents available on the record show that the parties appeared before Hon'ble Justice B.N. Agrawal and resolved their disputes. They also signed settlement agreement on 15.5.2013 and filed their respective affidavits dated 15.5.2013 and 6.6.2013. The Settlement signed by the parties is taken on record. The same be read as a part of this order.

Learned counsel for the petitioners submitted that Shri Jagdev Singh, Advocate, who was appointed as Court Receiver, is not allowing his clients and/or their representatives to inspect the property and, therefore, another Advocate may be appointed as Court Receiver. Learned counsel for the respondents says that she does not have any objection.

By taking note of the statement of the learned counsel, we direct Shri Jagdev Singh, Advocate to act strictly in terms of para (e) of the settlement agreement and do not create a situation in which this Court may be compelled to remove him from the position of Receiver.

With the above direction, the special leave petition is disposed of as infructuous.

However, liberty is given to the petitioners to file an appropriate application for removing Shri Jagdev Singh, Advocate (Court Receiver) in case he fails to act in consonance with para (e) of the settlement agreement.

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