

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).21740/2005
(From the judgement and order dated 22/09/2005 in FAO(OS) No. 55/2005
of The HIGH COURT OF DELHI AT N. DELHI)

H.P.S. CHAWLA

P etitioner(s)

VERSUS

N.P.S.CHAWLA & ORS.

R espondent(s)

(With appln.(s) for permission to place addl. documents on record and
with prayer for interim relief and office report) (For Final Disposal)

Date: 20/09/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE ALTAMAS KABIR

For Petitioner(s)

Mr. Arun Khosla, Adv.

Mr. M.A.Chinnasamy,Adv.

For Respondent(s)

Mr. B.L.Wali, Adv.

Mr. Rajeev Sharma, Adv.

Ms. Madhu Sikri,Adv.

Mr. Dipankar P. Gupta, Sr. Adv.

Ms. Priya Puri, Adv.

Mr. Ujjwal Banerjee, Adv.

Mr. Vijay M. Chauhan, Adv.

Mr. H.K. Puri ,Adv

UPON hearing counsel the Court made the following

O R D E R

We have heard counsel for the parties for some time.
It appears to us, having regard to

the facts and circumstances of the case and the standing of the family of the parties, that this is pre-

eminently a case which ought to be settled amicably. Mr. Arun Khosla, learned counsel appearing on

behalf of the petitioner makes it very clear that so far as the Will is concerned, he does not dispute any

part of the Will nor does he claim exclusive title to any of the properties covered by the Will. The

respondents also do not dispute this position. The only concern of the parties at this stage is to dispose

of the assets and share the proceeds in the proportion mandated by the Will. The parties are also

agreed that the properties shall have to be sold as they cannot be suitably partitioned in the

proportion mandated by the Will.

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After some discussion, we feel, and the learned counsel for the parties agree, that an effort

should be made to settle the matter amicably so that it may not be necessary for us to go into the

question of law which is sought to be raised in this petition. We are, therefore, adjourning this matter

for three months with a direction that the parties concerned shall through their advocates make

efforts to dispose of the assets at the best price available. Needless to say that offers received by the

parties may be communicated to their respective Advocate who may in consultation with the Advocate

on the other side, settle the deal with their consent, if it is in the best interest of the parties. Even

otherwise, the representatives of the parties will generally act in consultation with their Advocates

with a view to secure the best price. If they succeed in their effort, it may not be necessary for us to go

on further with this petition. In case of any difficulty, liberty to the parties to approach this Court.

We only wish that the parties should also make efforts to settle all other disputes between

them through their counsel.

Let this matter come up on 11th January, 2007 when we shall consider what further

orders may be passed. In case, in the meantime the parties are able to secure a good buyer or buyers

for the properties, and all the parties consent to the sale/sales being effected, they are at liberty to get

the sale deed/sale deeds executed, and inform the Court accordingly.

(Ajay Kr. Jain)

(Vijay Dhawan)

Court Master

Court Master