

REVISED

ITEM NO.6 Court 9 (Video Conferencing) SECTION XIV

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

Miscellaneous Application No. 289/2021 in SLP(C) No. 7341/2010

ANIL KUMAR (D) THROUGH LRS. Petitioner(s)

VERSUS

RAKESH KUMAR JAIN &amp; ORS. Respondent(s)

(FOR ADMISSION and IA No.134768/2020-APPROPRIATE  
ORDERS/DIRECTIONS)

Date :15-02-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE HRISHIKESH ROYFor Petitioner(s) Mr.Sunil Kumar Jain, AOR  
Mr. Shaantanu Jain, Adv.

For Respondent(s) Mr. Harsh V. Surana, AOR

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

A joint application has been filed by the parties seeking to modify the original settlement on account of this fact, as stated before us, that the property is still not free hold and yet to be converted into free hold from lease hold. There are certain necessary sequiters to that settlement and thus a fresh settlement has been filed executed by the parties on 15.12.2020. In terms of this settlement, the possession is to be now jointly taken over by the parties from the Receiver Shri

Jagdev Singh, who was originally appointed as the Receiver in terms of the order of the High Court dated 29.05.2009.

It is stated that the Receiver is willing to hand over possession, subject to orders of this Court.

On perusal of the settlement, there appears to be no legal impediment in implementation of the same which has arisen in the given facts of this Case.

In view of the aforesaid, we take this modified settlement on record and the parties will remain bound by the modified settlement with the possession being jointly handed over to all the five parties by the Receiver, who will thereafter carry out the settlement. In terms thereof, the property has to be sold to a third party with proceeds being divided, instead of the earlier settlement and the amount which was taken from Smt. Sunita Jain is to be returned to her who would be directly paid by the prospective purchaser.

IA No.134768/2020, application for directions stands disposed of.

MA also stands disposed of.

Needless to say that on application being made for conversion of lease hold to free hold, the Land and Development office (LNDO) will process the application expeditiously and not later than 3

months from the application being so filed to  
facilitate the settlement.

[CHARANJEET KAUR]  
ASTT. REGISTRAR-cum-PS

[POONAM VAID]  
COURT MASTER (NSH)

- Revised only for the purpose of correcting the cause title  
qua the petitioner(s).

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Receiver in terms of the order of the High Court dated 29.05.2009.

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