

Sr. No.	Date	Orders
		<p data-bbox="433 291 618 322">29.04.2003</p> <p data-bbox="433 362 1110 437">Present: Mr.Rohit Verma for the plaintiff. Mr.S.K.Maniktala for the defendant.</p> <p data-bbox="433 561 964 597"><u>+IA.No.5308/2002 in S.No.551/2001.</u></p> <p data-bbox="433 606 450 628">*</p> <p data-bbox="433 676 1508 1676"> This is an application under Order XXII Rule 3 read with Section 151 CPC for bringing the L.Rs of deceased Sh.R.L.Jain on record. The suit had been instituted by Sh.R.L.Jain in the following capacities:- (i) Plaintiff No.1 in his individual capacity (ii) as Karta of plaintiff No.2, Sh.R.L.Jain (HUF) as well as R.L.Jain (HUF) & Co. Sh.R.L.Jain expired on 27.1.2002 and is stated to have executed a Will, bequeathing his properties and assets in favour of Smt.Reeta Jain, Manish Jain and R.K.Jain (HUF), who happen to be plaintiff Nos.4, 5 and 6 in the present suit. There is also a bequest in favour of Master Saurabh Jain, who is a minor and son of Sh.R.K.Jain and Smt.Reeta Jain. There is no opposition to the application. Plaintiff Nos.3,5 and 6 already arrayed as parties in the suit shall be deemed to be in their individual capacity as well as legal heirs of plaintiff Nos.1,2 and 7. </p> <p data-bbox="433 1716 1508 1915"> Application is allowed and stands disposed of. Amended memo of parties to be filed, deleting plaintiff No.1, Sh.R.L.Jain, within a week from today. </p>

Signature Not Verified
Digitally Signed
By: AMULYA

Sr. No.	Date	Orders
		<div data-bbox="1305 199 1437 320" data-label="Text"> </div> <div data-bbox="915 371 959 402" data-label="Text"> <p>-2-</p> </div> <div data-bbox="417 449 888 495" data-label="Text"> <p><u>IA.No.3878/03 in S.No.551/2001</u></p> </div> <div data-bbox="419 515 1473 654" data-label="Text"> <p>Counsel for the parties submit that the matter has been settled. Let the statement of the parties be recorded.</p> </div> <div data-bbox="419 690 550 732" data-label="Section-Header"> <p>ORDER</p> </div> <div data-bbox="419 758 1500 1446" data-label="Text"> <p>Statements of Sh.R.K.Jain, plaintiff No.3, Sh.Rohit Verma, counsel for the plaintiffs and Sh.R.K.Kapur, President of the defendant company have been recorded separately. In view of the settlement as recorded in Ex.C-1 and the affidavit in support thereof, sworn by the plaintiff as well as on behalf of the defendant, the suit is decreed in terms of Ex.C-1 and Ex.C-3. Both the parties confirm that they have no claim against each other, in view of the settlement, as recorded in Ex.C-3. Ex.C-1 and Ex.C-3 shall form part of the decree. Parties to bear their own cost. Parties shall be bound by the terms of settlement.</p> </div> <div data-bbox="424 1605 639 1685" data-label="Text"> <p>April 29, 2003 aka.</p> </div> <div data-bbox="1085 1521 1397 1643" data-label="Text"> <p> Mahamohan Sarin, J.</p> </div>

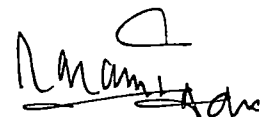
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Suit No.551/2001

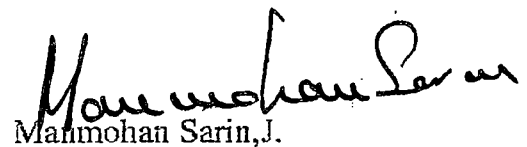
Statement of Mr.Rohit Verma, counsel for the plaintiff, without oath.

Ex.C-1 has been executed by Sh.R.K.Jain, as plaintiff No.3 and on behalf of all other plaintiffs. I have been instructed by all the plaintiffs to enter into the settlement and have, accordingly, signed the same. I identify the signatures of Sh.R.K.Jain. Ex.C-3 is also executed by the plaintiffs and for the minor Saurabh Jain through his mother, Smt.Reeta Jain, who has no interest adverse to the minor. Sh.R.K.Jain is also the father of Master Saurabh Jain. The suit may be decided in terms of Ex.C-1 and Ex.C-3.

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S.NO.551/2001

Statement of Sh.R.K.Jain son of late Sh.R.L.Jain, aged 50 years, resident of 14, Raja Enclave, Pitampura, Delhi-110034. On S.a.

I am plaintiff No.3 in the present suit. I also hold the power of attorney from Sh.Manish Jain and Smt.Reeta Jain. The accompanying application under Order XXIII Rule 3 CPC has been signed by me for self and on behalf of all other plaintiffs. I have been duly authorized by the said plaintiffs to do so. Application under Order XXIII Rule 3 CPC is Ex.C-1. My affidavit in support of Ex.C-1 is Ex.C-2. The terms of settlement, as reached between the parties, are recorded in the Memo of Understanding. The same is Ex.C-3. The photocopies of the power of attorney executed by Sh.Manish Jain and Smt.Reeta Jain are Ex.C-7 and Ex.C-8 respectively. Plaintiffs shall be duly abide by the terms, as recorded in Ex.C-1 and Ex.C-3. The suit may be decreed in terms of Ex.C-1 and Ex.C-3.

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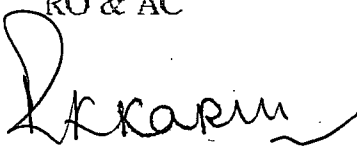
Suit No.551/2001

Statement of Sh.R.K.Kapur, President, Usha Beltron Ltd., 701, Surya Kiran Building, 19, Kasturba Gandhi Marg, New Delhi. On S.A.

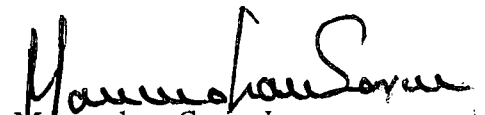
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I have heard the statement of Sh.R.K.Jain and accepts the same as correct. Ex.C-1 has been signed by me on behalf of the defendant. My affidavit in support of Ex.C-1 is Ex.C-4. Defendant has also entered into the Memorandum of Understanding, Ex.C-3. The authorization in my favour issued by the Joint Managing Director is Ex.C-5. Even otherwise, as a Principal Officer, I am entitled to enter into the settlement. Pursuant to the Memo of Understanding, the possession has also been handed over to the plaintiffs. Receipt of possession is Ex.C-6. Defendant has also paid the amount of compensation to the plaintiff. Defendant does not have any claim against the plaintiffS now surviving.

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Manmohan Sarin, J.