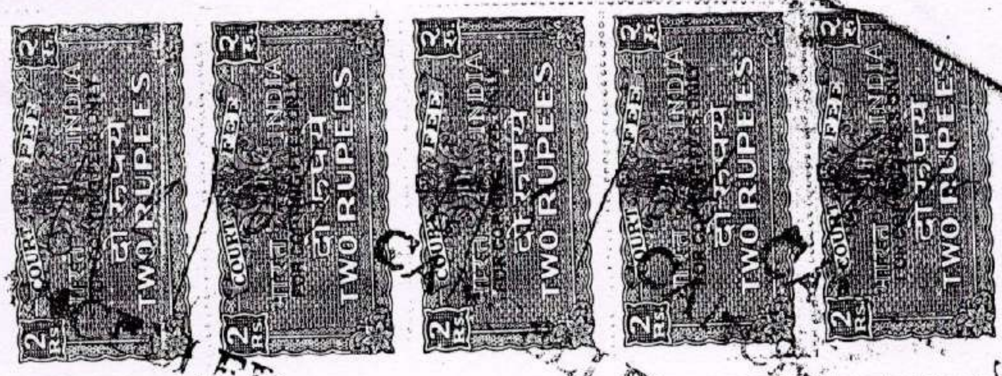


6/5/2006 6 May 2006	31/5/2006 31 May 2006	31/5/2006 31 May 2006	31/5/06

Vijay Kumar Seth

For Amit Seth

Vijay Kumar Seth

POA

For Self & POA of Ankur Bajpai

Veena Bajpai

For Self & POA of Vikram Seth

Ajit Kumar Seth

Rajesh Kumar Seth

न्यायालय द्वितीय सिविल जज (S.D.) कोर्ट नं 21
लखनऊ

Arg. 101
6.5.06
W: A.
Sd.

R.S. नं. 154/05

हरि किशोर सेठ VS श्रीमती सरोज सेठ

डिक्री की छाया प्रति संलग्न है

For Self & POA of Vikram Seth
Ajit ... Seth
For Self + POA of Amit Seth
Vijay Kumar Seth
For Self & POA of Ankur Bajpai
Veena Bajpai

Rajesh Kumar Seth

नकल - आदेश

24/12/05 - वाद पुकारा गया।
विद्वान अधिवक्तागण उभयपक्ष उपस्थित।

पक्षकारों की ओर से सन्धिपत्र क-23 प्रस्तुत किया गया। उभयपक्ष की पहचान उनके विद्वान अधिवक्तागण के द्वारा की गयी एवं उनकी उपस्थिति में हस्ताक्षर किये गये। सन्धिपत्र सत्यापित किया गया।

सन्धिपत्र विधिपूर्ण उद्देश्य के लिए है तदनुसार स्वीकार किये जाने योग्य है।

आदेश -

सन्धिपत्र क-23 स्वीकार किया जाता है। वाद का निस्तारण सन्धि-पत्र की शर्तों के अनुसार किया जाता है। सन्धि पत्र आज्ञप्ति का भाग होगा।

पत्रावली नियमानुसार दाखिल दफ्तर हो।

24/12/05

[illegible]

Vijay Kumar Seth
For Amit Seth
Vijay Kumar Seth POA

प्रमाणित प्रतिलिपि
प्रधान प्रतिलिपिक 31/5/06
जिला एवं सत्र न्यायालय

For Self & POA of Ankur Bajpai
Veena Bajpai

For Self & POA of Vikram Seth
Ajit Kumar Seth

Rajesh Kumar Seth

न्यायालय द्वितीय सिविल जज (S.D) कोर्ट नं. 21
लखनऊ

wrg. 101

6.5.06

W.A.

Sd.

R.S. No. 154/05

हरि किशोर सेठ VS श्रीमती सरोजनी सेठ

निर्णय की छाया प्रति संलग्न है

Vijay Kumar Seth
For Amit Seth
Vijay Kumar Seth
POA

For Self & POA of Ankur Bajpai
Veena Bajpai

For Self & POA of Vikram Seth
Ajit Kumar Seth

Rajesh Kumar Seth

COURT FEE INDIA FOR COPYING FEES ONLY TWO RUPEES

COURT FEE INDIA FOR COPYING FEES ONLY TWO RUPEES

COURT FEE INDIA FOR COPYING FEES ONLY TWO RUPEES

COURT FEE INDIA FOR COPYING FEES ONLY TWO RUPEES

COURT FEE INDIA FOR COPYING FEES ONLY TWO RUPEES

CANCELLED

27/5

6/5/2006
6 May 2006

31/5/2006
31 May 2006

31/5/2006
31 May 2006

31/5/06

For Self & POA of Vikram Seth
Ajit Kumar Seth

For Self & POA of Amit Seth
Vijay Kumar Seth

For Self & POA of Ankur Bajpai
Veena Bajpai

Rajesh Kumar Seth

A-24/1

H. C. J. No. IV 20

नकल मूल वाद के आज्ञप्ति
[आदेश 20 नियम 6–7]

न्यायालय द्वितीय अपर सिविल जज (सी० डि०) स्थान ... जिला ...

Vijay Kumar Seth
For Amit Seth
Vijay Kumar Seth POA
For Self & POA of Arun Bajpai
Veena Bajpai
For Self & POA of Vikram Seth
Ajai Kumar Seth
Ajesh Kum Seth

मूल संख्या RS No 154/2005

संस्थित दिनांक 5 मास 3 सन् 2005 ई०

1- Shri Hari Kishore Seth, aged about 84 years son of late Shri Dwarka Nath Seth.
2. Smt Annapurna Devi Seth aged about 72 years wife of Shri Hari Kishore Seth.
3. Dr. Rajesh Kumar Seth, aged about 48 years son of Shri Hari Kishore Seth, all residents of 11, Lapper Road Lalbagh Lucknow.
4. Smt Meera Kapoor aged 54 years wife of Shri V.K. Kapoor daughter of Shri Hari Kishore Seth, resident of ... Lucknow
5. Smt Manju Khanna aged about 52 years wife of Shri V.K. Khanna daughter of Shri Harikishore Seth, resident of 2202 ... Hiranandani Gardens Powai Mumbai ... 76 through ... Dr. Rajesh Kumar Seth.
6. Smt Sushma Seth aged about 46 years wife of Shri Dilip Kumar Seth daughter of Shri Hari Kishore Seth resident of FE 402 sector III Salt Lake City Calcutta through her GA Dr.
7. Ritesh Seth, aged about 22 years Dr. Rajesh Kumar Seth

वादी

प्रतिवादी

न्यायालय का नाम / वाद संख्या / पक्षकारों के नाम

टिप्पणी–जो पते कि ऊपर लिखे गये हैं वह पत्रकारों ने जो उपस्थित नहीं हुए तामील के प्रयोजन से दाखिल किये हैं। को छोड़कर के लिए दावा

8. Tushar Seth aged about 17 years (minor) son of Dr. Rajesh Kumar Seth under the Guardianship of his natural Guardian Dr. Rajesh Kumar Seth as next friend 11 Lapper Road Lal Bagh Lucknow

Versus

1- Smt Saroj ini Devi Seth aged about 74 years wife of late Sri Ram Kishore Seth
2. Dr. Vijay Kumar Seth aged about 54 years Sons of late Shri Ram Kishore Seth
3. Shri Ajit Kumar Seth, aged about 53 years
4. Dr. Sunita Seth aged about 56 years wife of late Ajay Kumar Seth
5. Shri Ravi Seth aged about 32 years son of late Ajay Kumar Seth
6. Smt Veena Bajpai aged 49 years wife of Dr. C.D. Bajpai daughter of late Shri Ram Kishore Seth.

Cont. Page (2)

वादी के लि[illegible] श्री जी० के० सेठ अधिवक्ता को

और प्रतिवादी के [illegible] किशन कुमार खन्ना अभिवक्ता

को उपस्थिति में [illegible] श्री एलन प्रताप सिंह [illegible] अपर सिविल जज [illegible] कक्ष क० 21, लखनऊ

के समक्ष अन्तिम [illegible] होने पर यह आदिष्ट और अज्ञाप्त किया जाता है कि– आदेश:

सन्धि पत्र [illegible] 23 स्वीकार किया जाता है। वाद का निस्तारण सन्धि पत्र [illegible] की शर्तों के अनुसार किया जाता है। [illegible]
आज्ञप्ति [illegible] भाग होगा।
[illegible] नियमानुसार तालिका बनेगा।
✓

और इस वाद के खर्च मद्दे ✗ रुपये की राशि आज की तारीख से ज्ञापन की

तारीख तक उस पर ✗ प्रतिशत प्रतिवर्ष की दर से ब्याज सहित

द्वारा ✓ को दी जाय।

मेरे हस्ताक्षर और न्यायालय की मुद्रा के सहित आज दिनांक 21 मास 12 सन् 2005 ई०

को दी गई।

न्यायाधीश [signature] 06/1/06

Addl. Civil Judge
LUCKNOW

Vijay Kumar Seth
For Amit Seth
Vijay Kumar Seth
POA
For Self & POA of A. Ku. Bajpai
Veena Bajpai
For Self & POA of Vikram Seth
Ajit Kumar Seth
Rajesh Kumar Seth

A 24/2

वाद के खर्च

वादी	रु०	पैसे	प्रतिवादी	रुपये	पैसे
1—वाद-पत्र के लिए मुद्रांक	200	00	1—शक्ति-पत्र के लिए मुद्रांक		
2—शक्ति पत्र के लिए मुद्रांक	03	50	2—याचिका के लिए मुद्रांक		
3—प्रदर्शितों के लिए मुद्रांक	—	—	3—अभिवक्ता की फीस [illegible]		
4—अभिवक्ता की फीस रु० मददे [illegible]			4—साक्षियों के लिए निर्वाह व्यय		
5—साक्षियों के लिए निर्वाह व्यय			5—आदेशिका की तामील		
6—कमीशन निष्पादक की फीस			6—कमीशन निष्पादक की फीस		
7—आदेशिका की तामील	25	00			
योग	228	50	योग	Nil	

Vijay Kumar Seth
For Amit Seth
Vijay Kumar Seth
POA
For Self & POA of Ankur Bajpai
Veena Bajpai
For Self + POA of Vikram Seth
Ajit Kumar Seth
Rajesh Kumar Seth

मुंसरिम के हस्ताक्षर

[signature] 6/1/010

Addl. Civil Judge
LUCKNOW

वादी के अभिवक्ता के हस्ताक्षर

प्रतिवादी के अभिवक्ता के हस्ताक्षर

पी०एस०यू०पी०—ए०पी० 03 उच्च न्यायालय—26.7.2002—(837)—2,43,000—कम्प्यूटर / आफसेट।

(2)

7- Vikas [illegible] aged about 36 years son of Sh. V. [illegible] Kumar [illegible]

8 Amit [illegible] aged about 29 years son of Dr. Vijay Kr [illegible]

9- Ankur [illegible] aged about 23 years son of Dr. [illegible]

All residents of [illegible] Upper Road P.S. [illegible] [illegible] ... [illegible]

... Defendants

Suit for declaration

Valuation of Suit Rs. 5,00000/—
Court fee Paid Rs 200 [illegible]

Reliefs

(a) Decree for declaration to the effect that the plaintiff No 3 is the absolute owner of the property described in schedule "A" annexed to the plaint be passed.

(b) Any other relief which under the circumstances of the case this Hon'ble Court may deem fit may also be passed.

(c) Cost of the suit be awarded in favour of the plaintiffs against the defendants.

[illegible] — [illegible]

प्रमाणित प्रतिलिपि
प्रतिलिपि
31/5/06

Vijay Kumar Seth
For Amit Seth
Vijay Kumar Seth POA

For Self & POA of [illegible] Bajpai
Veena Bajpai
For Self & POA of Vikram Seth
Ajit [illegible]
Rajesh Kumar Seth

A-23/1

IN THE COURT OF THE IInd ADDITIONAL CIVIL JUDGE (S.D.) COURT No.21 LUCKNOW

R.S. No.154 of 2005

COURT FEE INDIA ONE RUPEE

COURT FEE INDIA ONE RUPEE

Hari Kishore Seth & others .... Plaintiffs

Versus

Smt. Sarojini Devi & others .... Defendants

Fixed For 19.12.2005 .
21-

Application Under Order 23 Rule 3 of the C.P.C. on behalf of the parties.

Vijay Kumar Seth
For Amit Seth
Vijay Kumar Seth
POA
For Self & POA of Ankur Bajpai
Veena Bajpai
For Self & POA of Vikram Seth
Ajit Kumar Seth
Rajesh Kumar Seth

The parties above named beg to submit as under:-

1. That the parties to the suit have amicably settled their disputes outside the court and have arrived on the following terms:-

(i). That the defendants admit that the late Babu Dwarka Nath Seth was the owner of the properties situated at Lucknow and Kanpur detailed in annexure No. I to this application.

(ii). That the defendants also admit that on 11.10.2004 there was an oral and mutual family settlement between them and the plaintiffs in which they amicably divided the ancestral properties left by late Babu Dwarka Nath Seth.

(iii).That the defendants admit that in the oral and mutual family settlement dated 11.10.2004 mentioned in para ii above the properties detailed in Schedule "A" annexed with the plaint and with this application went to the share of the plaintiffs and the properties detailed in Schedule "B" annexed with the plaint and present application went to the share of the defendants.

(iv).That it is also admitted to the parties that on 11.10.2004 plaintiffs 1, 2, and 4 to 6 relinquished their rights in the properties detailed in Schedule "A" mentioned above in favour of the plaintiff No.3 who became the absolute owner of the properties detailed in Schedlue "A" mentioned above.

Hari Kishore Seth
Annapurna Devi
Rajesh Kumar Seth
Ritesh Seth
Meera Kapur

Sarojini Devi
Vijay Kumar Seth
Ajit Kumar Seth
Anupkwahal
Veena Bajpai

Filed by me
[signature]
29.12.05

For self & POA of Vikram Seth
Ajit Kumar Seth
For self & POA of Amit Seth
Vijay Kumar Seth
For self & POA of Ankur Bajpai
Veena Bajpai

Rajesh Kumar Seth

21-12-05. आज मुकदमा में दोनों पक्षों के द्वारा
राजीनामा बाबत वादीगण श्री हरी किशोर सेठ,
श्रीमती ज्ञानवती, डा० राजेश कुमार सेठ,
श्रीमती मीरा कपूर, श्री रितेश सेठ स्वयं व
श्रीमती आभा खन्ना, श्रीमती सुषमा सेठ व
मानवसेठ की मुख्तारआम विजय कुमार अधिवक्ता
अथवा श्री राजेश कुमार सेठ ने प्रस्तुत किया
जिनकी शिनाख्त विद्वान अधिवक्ता श्री
सी० के० सेठ ने की। प्रतिवादीगण
श्री सरोज ... सेठ, स्वयं विजय कुमार सेठ
अजीत कुमार सेठ, श्रीमती वीना बाजपेयी तथा
डा० ~~...~~ अनूप कुमार बाजपेयी मुख्तारआम
श्रीमती सुनीता सेठ एवं श्री रवी सेठ तथा श्री अजीत
कुमार सेठ मुख्तारआम विक्रम सेठ, डा० विजय कुमार सेठ
मुख्तारआम अमित सेठ, डा० वीना बाजपेयी मुख्तारआम
अंकुर बाजपेयी की शिनाख्त विद्वान अधिवक्ता
श्री अरुण कुमार खन्ना ने की। सुलहनामा
~~...~~ अदालत द्वारा तस्दीक किया गया

[signature] 21/12/05
II सि० जज
(सी० डि०)
21-12-05

(v). That the aforesaid family settlement was also acted upon by the parties and from the date of oral and mutual family settlement dated 11.10.2004 plaintiff No.3 became the absolute owner of the properties detailed in Schedule "A" and the defendants became the absolute owners of the properties detailed in Schedule "B" mentioned above.

(vi). That the parties will bear their respective costs of the suit.

Wherefore it is respectfully prayed that the suit may kindly be decided in terms of the above compromise which may be made part of the decree.

Lucknow: Dated: 19.12.2005 (corrected to 21)

Vijay Kumar Seth
For Amit Seth
Vijay Kumar Seth POA
For Self & POA of Arun Bajpai
Veena Bajpai
For Self & POA of Vikram Seth
Ajit Kumar Seth
Ajesh Kumar Seth

Meera Kapur
Rajesh Kumar Seth as self and attorney holder of Pltfs
Shri Kishore Seth
Annapurna Devi
Ritesh Seth

Plaintiffs

I know the plaintiffs Rajesh Kumar Seth Pltf No.3 who is also attorney holder of ... Pltfs Nos 1, 2, 4 and 7, ... signed before me

(C.K. Seth, Advocate)
Counsel for the Plaintiffs

Anup Kumar
G.A. of defdt ...
Veena Bajpai
As self and as G.A. of defdt No 9
Sarojini Devi
Vijay Kumar Seth
Ajit Kumar Seth as self and as G.A. of defdt

Defendants

I identify the defendants No. 1 to 3 and attorney holder of defendants No. 7 & 8 who have signed before me
24/12/05

(Arun Khanna, Advocate)
Counsel for the Defendants

A-23/3

SCHEDULE OF IMMOVABLE PROPERTIES

SCHEDULE-A -relating to Shri Hari Kishore Seth and others.

1. Immovable properties at Valmiki Marg,Lucknow

   Boundaries:

   North: Air-Care Engineers Building
   South: Common passage
   East: Valmiki Marg
   West: Epiphany Church compound.

Vijay Kumar Seth
For Amit Seth

2. Immovable properties at J.C.Bose Marg, Lucknow.

Vijay Kumar Seth
For Self & POA of Ankur Bajpai
Veena Bajpai
For Self & POA of Vikram Seth
Ajit Kumar Seth
Rajesh Kumar Seth

   Boundaries:

   North: Osama Talha road
   South: Coronation Ivy court buliding
   East: Commercial Motors Service Station
   West: J.C.Bose Marg

3. Immovable properties at 4,Capper Road, Lucknow –

   Half portion of the building adjacent to Novelty Cinema, Lalbagh,Lucknow.

   Boundaries:

   North: Portion of late Sri R.K.Seth
   South: Novelty Cinema
   East: Capper Road
   West: Compound of Commercial Motors.

4. Immovable properties at 51/13 Udaiganj,Lucknow-undivided half share with half share in the rental income that may be relized.

5. Immovable property at 15,Daliganj,Lucknow-undivided Half share together with half share in the rental income that may be realized.

6. Immovable properties at 113/69,Swaroop Nagar, Kanpur-Tenanted by M/s. Amar Nath Chiranji Lal,Kanpur

Hari Kishore Seth
Annapurna Devi
Rajesh Kumar Seth
Meera Kapur
Ritesh Seth

Sarojni Devi
Vijay Kumar Seth
Ajit Kumar Seth
Anupamwahal
Veena Bajpai

A-23
4

SCHEDULE OF IMMOVABLE PROPERTIES

SCHEDULE-B -relating to Smt. Sarojni Devi Seth(wife of late Shri R.K.Seth)and others.

1. Immovable properties at Valmiki Marg Lucknow(Chakki Side).

   Boundaries:

   North: Common passage
   South: Bangalow of Sri Chatterji
   East: Valmiki Marg
   West: Epiphany Church compound.

Vijay Kumar Seth
For Amit Seth
Vijay Kumar Seth
POA

2. Immovable properties at Butler Road, Lucknow situated at 21/24 Tilak Marg,Lucknow.

For Self & POA of Ankur Bajpai
Veena Bajpai
For self & POA of Vikram Seth
Ajit Kumar Seth
Rajesh Kumar Seth

3. Immovable properties at 4,Capper Road, Lalbagh, Lucknow (half portion of the building adjacent to PCF side.)

   Boundaries:

   North: PCF compound
   South: Portion of Shri H.K.Seth
   East: Capper Road
   West: Compound of Commercial Motors.

4. Immovable properties at 51/13 Udaiganj,Lucknow- undivided half share in the immovable property together with half share in the rental income that may be realized.

5. Immovable property at 15,Daliganj,Lucknow-undivided half share together with half share in the rental income that may be realized.

6. Immovable properties at 113/68,Swaroop Nagar,Kanpur- In the occupation of Dr.Vijay Kumar Seth and tenants namely Viz. M/s. Wig Brothers and M/s Sachdeva presently occupying the portions of the above building.

Jugal Kishore Seth
Amarkumari Devi
Rajesh Kumar Seth
Meera Kapur
Ritesh Seth

Sarojni Devi
Vijay Kumar Seth
Ajit Kumar Seth
Anupam Wahi
Veena Bajpai

A-23
5

Annexure 1

1. Immovable properties at 5 Valmiki Marg,Lucknow

   Boundaries:

   North: Air-Care Building
   South: Banglow of Shri Chaterjee
   East: Valmiki Marg
   West: Epiphany Church compound.

2. Immovable properties at 11,J.C.Bose Marg, Lucknow.

   Boundaries:

   North: Osama Talha road
   South: Coronation Ivy court buliding
   East: Commercial Motors Service Station
   West: J.C.Bose Marg

3. Immovable properties at Buttler Road,Lucknow Situated at 21/24 Tilak Marg,Lucknow

4. Immovable properties at 4,Capper Road, Lucknow –

   Boundaries:

   North: PCF Compound
   South: Novelty Cinema
   East: Capper Road
   West: Compound of Commercial Motors.

5. Immovable properties at 51/13 Udaiganj,Lucknow
6. Immovable property at 15,Daliganj,Lucknow
7. Immovable properties at 113/68,Swaroop Nagar, Kanpur
8. Immovable properties at 113/69,Swaroop Nagar, Kanpur

A-23
6

Annexure I

1. Immovable properties at 5 Valmiki Marg,Lucknow

Boundaries:

North: Air-Care Building
South: Banglow of Shri Chaterjee
East: Valmiki Marg
West: Epiphany Church compound.

Vijay Kumar Seth

For Amit Seth

2. Immovable properties at 11,J.C.Bose Marg, Lucknow.

Vijay Kumar Seth
POA

Boundaries:

North: Osama Talha road
South: Coronation Ivy court buliding
East: Commercial Motors Service Station
West: J.C.Bose Marg

For Self & POA of Ankur Bajpai
Veena Bajpai
For Self & POA of Vikram Seth
Ajit Kumar Seth

3. Immovable properties at Buttler Road,Lucknow Situated at 21/24 Tilak Marg,Lucknow

Rajesh Kumar Seth

4. Immovable properties at 4,Capper Road, Lucknow –

Boundaries:

North: PCF Compound
South: Novelty Cinema
East: Capper Road
West: Compound of Commercial Motors.

5. Immovable properties at 51/13 Udaiganj,Lucknow
6. Immovable property at 15,Daliganj,Lucknow
7. Immovable properties at 113/68,Swaroop Nagar, Kanpur
8. Immovable properties at 113/69,Swaroop Nagar, Kanpur

Rajesh Kumar Seth
Meera Kapur
Hari Kishore Seth
Annapurna Devi
Ritesh Seth
Sarojini Devi
Vijay Kumar Seth
Ajit Kumar Seth
Anupwahal
Veena Bajpai

Vijay Kumar Seth
For Amit Seth
Vijay Kumar Seth
POA

Ubg-47
13/1/06
W.A.-1200
Sd-

न्यायालय सिविल जज (सी०डि०) लखनऊ।
आर. एस. नं० 154/05
हरी किशोर सेठ आदि
बनाम
श्रीमती सरोजनी देवी आदि
नकल दावा की फोटोप्रति साथ संलग्न है।

For Self & POA of Anand Bajpai
Veena Bajpai

For Self & POA of Vikram Seth
Ajit Kumar Seth

Rajesh Kumar Seth

COURT FEE INDIA TEN RUPEES

13/1

13/1/2006 13 Jan 2006	18/1/2006 18 Jan 2006	18/1/2006 18 Jan 2006	18/1/06

For Self & PoA of Vikram Seth
Ajit Kumar Seth
For Self + POA of Amit Seth
Vijay Kumar Seth
For Self & PoA of Ankur Bajpai
Veera Bajpai

copy

Out 3/2

IN THE COURT OF THE CIVIL JUDGE (Sr. DIVISION) LUCKNOW

R.S. No. 159 ..of 2005

1. Shri Hari Kishore Seth, aged about 84 years son of late Shri Dwarka Nath Seth.

Vijay Kumar Seth For Amit Seth. 2. Smt. Annpurna Devi Seth aged about 72 years wife of Shri Hari Kishore Seth.

Vijay Kumar Seth POA For Self & POA of A.K. Bajpai 3. Dr. Rajesh Kumar Seth, aged about 48 years son of Shri Hari Kishore Seth, all residents of 4 Capper Road Lalbagh Lucknow.

Veena Bajpai For Self & POA of Vikram Seth Ajit Kumar Seth 4. Smt. Meera Kapoor aged about 54 years wife of Shri V.K. Kapoor daughter of Shri Hari Kishore Seth, resident of 11 J.C. Bose Marg, Lucknow.

Rajesh Kumar Seth .5. Smt. Maya Khanna aged about 52 years wife of Shri V.K. Khanna daughter of Shri Hari Kishore Seth, resident of 2202 Glencroft Heera Nandani Garden Pawai Mumbai 400076. Through her G.P. Dr. Rajesh Kumar Seth

6. Smt. Sushma Seth aged about 46 years wife of Dilip Kumar Seth daughter of Shri Hari Kishore Seth resident of FE 402 Sector III Salt Lake City Kolkatta Through her G.P. Dr Rajesh Kumar Seth ……………..Plaintiffs

7. Ritesh Seth aged about 22 Son of Dr. Rajesh Kumar Seth

8. Tushar Seth aged about 17 years (Minor son of Dr Rajesh Kumar Seth under guardianship of his natural guardian Dr Rajesh Kumar Seth as next friend

Versus

R/o 4 Capper Road Lalbagh Lucknow

1. Smt. Sarojini Devi Seth aged about 74 years wife of late Sri Ram Kishore Seth.

2. Dr. Vijay Kumar Seth aged about 54 years } sons of late Shri Ram
3. Shri Ajit Kumar Seth, aged about 53 years } Kishore Seth

4. Dr. Sunita Seth aged about 56 years wife of late Ajay Kumar Seth

5. Shri Ravi Seth aged about 32 years son of late Ajay Kumar Seth

6. Smt. Veena Bajpai aged about 49 years wife of Dr. C.P. Bajpai daughter of late Shri Ram Kishore Seth

25

9. Ankur Bajpai aged about 23 years son of Dr. C.P. Bajpai.
All residents of 4 Capper Road P.S. Hazratganj, Lucknow..Defendants

SUIT FOR DECLARATION

The Plaintiffs above named beg to submit as under:-

1. That the plaintiffs and the defendants belongs Mitakshra School of Hindu Law.

2. That late Babu Dwarka Nath Seth the father of the plaintiff No.1, father in law of the plaintiff No.2, grand father of the plaintiffs 3 to 6, father in law of the defendant No.1, grand father of the defendants 2,3,6 and great grand father of the defendants 5,7,8,9 and grand father in law of the defendant No.4 was the owner of the properties situated at Lucknow and Kanpur as per the list annexed with the plaint as Annexure No.I.

Vijay Kumar Seth
For Amit Seth
Vijay Kumar Seth POA
For Self & POA of Ankur Bajpai
Veera Bajpai
For self & POA of Vikram Seth
Ajit Kumar Seth
Ajesh Kumar Seth

3. That late Babu Dwarka Nath Seth died on 3.10.81 leaving behind him his two sons Ram Kishore Seth and Hari Kishore Seth, the Plaintiff No.1 on which all his moveable and immoveable properties devolved.

4. That Shri Ram Kishore Seth died on 25.10.2003.

5. That on the death of late Shri Ram Kishore Seth, the plaintiffs and the defendants being the co owners of the properties left by late Babu Dwarka Nath Seth, and the ancestral properties, on 11.10.2004 by oral and mutual family settlement divided all the moveable and immoveable properties.

6. That in the aforesaid oral and mutual family settlement the properties detailed in Schedule "A" annexed with the plaint went to the share of Plaintiffs and the properties detailed in Schedule "B" annexed with the plaint went in to the share of the defendants.

7. That the plaintiffs 1, 2, and 4 to 6 had on the date of oral and mutual family settlement arrived on 11.10.2004 relinquished their rights in the properties in favour of the defendant No.3 who became the absolute owner of the properties detailed in Schedule "A" annexed with the plaint.

8. That the aforesaid oral and mutual family settlement was also

proclamation was made on 5.2.2005 at 4 Capper Road Lalbagh P.S. Hazratganj Lucknow hence necessity for this suit for declaration.

10. That the cause of action for this suit has accrued to the plaintiffs against the defendants on 5.2.2005 at 4 Capper Road P.S. Hazratganj Lucknow which is with in the jurisdiction of this Hon'ble Court, when last proclamation was made by the defendants.

11. That the valuation of the suit for the purposes of jurisdiction and payment of Court fee is Rs.5000000/- being the value of the property but since it is a suit for mere declaration so maximum Court fee of Rs.200/- has been paid.

12. Wherefore it is respectfully prayed that the following reliefs may kindly be passed in favour of the plaintiffs against the defendants:-

(a). Decree for declaration to the effect that the plaintiff No.1 is the absolute owner of the properties detailed in Schedule "A" annexed to the plaint be passed.

(b). Any other relief which under the circumstances of the case the Hon'ble court may deem fit may also be passed.

(c).Cost of the suit be awarded in favour of the plaintiffs against the defendants.

Plaintiffs

Counsel for the Plaintiffs

VERIFICATION

I, Hari Kishore Seth the plaintiff No.1 above, do hereby verify that the contents of paras 1 to 8 are true to my own knowledge and those of paras 9 to 11 are believed by me to be true. Signed and verified by me this 24th day of February 2005.

Plaintiff No.1

(A)

SCHEDULE OF IMMOVABLE PROPERTIES

SCHEDULE-A -relating to Shri Hari Kishore Seth and others.

1 Immovable properties at Valmiki Marg,Lucknow

Vijay Kumar Seth
For Amit Seth
Vijay Kumar Seth POA
For Self & POA of Arun Bajpai
Veena Bajpai
For Self & POA of Vikram Seth
Ajit Kumar Seth
Rajesh Kumar Seth

Boundaries:

North: Air-Care Engineers Building
South: Common passage
East: Valmiki Marg
West: Epiphany Church compound.

2 Immovable properties at J.C Bose Marg, Lucknow.

Boundaries:

North: Osama Talha road
South: Coronation Ivy court buliding
East: Commercial Motors Service Station
West: J.C.Bose Marg

3 Immovable properties at 4,Capper Road, Lucknow –

Half portion of the building adjacent to Novelty Cinema, Lalbagh,Lucknow

Boundaries:

North: Portion of late Sri R.K.Seth
South: Novelty Cinema
East: Capper Road
West: Compound of Commercial Motors.

4. Immovable properties at 51/13 Udaiganj,Lucknow-undivided half share with half share in the rental income that may be relized.

5 Immovable property at 15,Daliganj,Lucknow-undivided Half share together with half share in the rental income that may be realized.

6 Immovable properties at 113/69,Swaroop Nagar, Kanpur-Tenanted by M/s. Amar Nath Chiranji Lal,Kanpur

SCHEDULE OF IMMOVABLE PROPERTIES

SCHEDULE-B -relating to Smt. Sarojni Devi Seth(wife of late Shri R.K.Seth)and others

1 Immovable properties at Valmiki Marg,Lucknow(Chakki Side)

Vijay Kumar Seth
For Amit Seth
Vijay Kumar Seth
POA
For Self & POA of Ankur Bajpai
Veena Bajpai
For Self & POA of Vikram Seth
Ajit Kumar Seth
Rajesh Kumar Seth

Boundaries:

North: Common passage
South: Bangalow of Sri Chatterji
East: Valmiki Marg
West: Epiphany Church compound

2 Immovable properties at Butler Road, Lucknow situated at 21/24 Tilak Marg,Lucknow.

3 Immovable properties at 4,Capper Road, Lalbagh, Lucknow (half portion of the building adjacent to PCF side.):

Boundaries:

North: PCF compound
South: Portion of Shri H.K.Seth.
East: Capper Road
West: Compound of Commercial Motors.

4 Immovable properties at 51/13 Udaiganj,Lucknow-undivided half share in the immovable property together with half share in the rental income that may be realized.

5 Immovable property at 15,Daliganj,Lucknow-undivided half share together with half share in the rental income that may be realized.

6 Immovable properties at 113/68,Swaroop Nagar,Kanpur-In the occupation of Dr. Vijay Kumar Seth and tenants namely Viz. M/s. Wig Brothers and M/s Sachdeva presently occupying the portions of the above building.

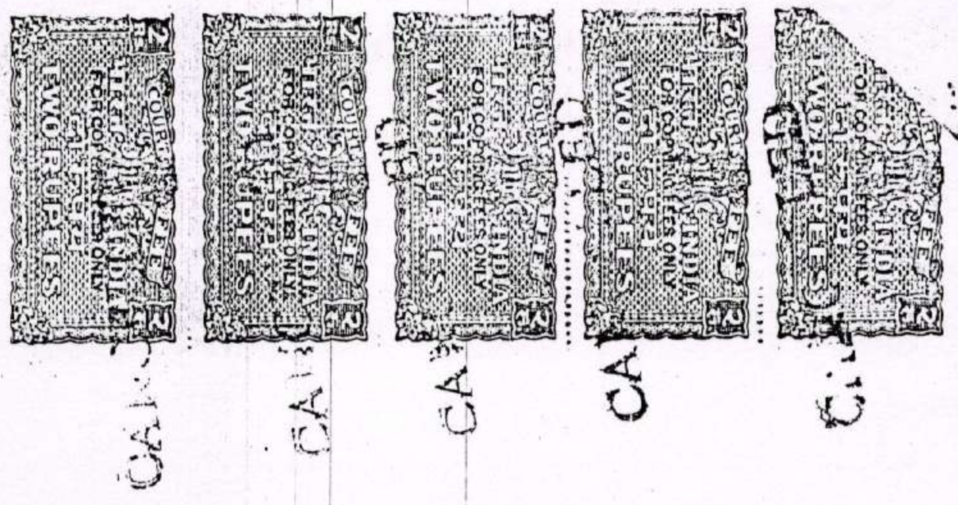
Jugal Kishore Seth
Annapurna Devi

[illegible] सिविल जज [illegible] (सी. डि.) [illegible] 21

अवलोकनार्थ।

Vig. 109 4/1/06 W.A-75	आर एस नं. 154/05
	हरी किशोर सेठ आदि
	बनाम
Sd. Vijay Kumar Seth For Amit Seth Vijay Kumar Seth POA	श्रीमती सरोजनी देवी सेठ आदि
For Self & POA of Ankur Bajpai Veena Bajpai	नकल आदेश दि. 21.12-05 की
For Self & POA of Vikram Seth Ajit Kumar Seth	फोटो प्रति साथ में संलग्न है।

Ajit Kumar Seth



4.1.06 4 Jan 06	19.1.06 19 Jan 06	20.1.06 20 Jan 06	Sd 20/1/06

For Self & POA of Vikram Seth
Ajit Kumar Seth

For Self & POA of Amit Seth
Vijay Kumar Seth

For Self & POA of Ankul Bajpai
Neera Bajpai

Rajesh Kumar Seth

न्यायालय द्वितीय अपर सिविल जज (सी०डि०) कक्ष नं०-21
लखनऊ

[illegible]

[illegible] बनाम- श्रीमती सरोजनी सेठ

नकल आदेश दि०- 21/12/05

21/12/05 - वाद पुकारा गया। विद्वान अधिवक्तागण उभयपक्ष उपस्थित। पक्षकारों की ओर से संधिपत्र क-23 प्रस्तुत किया गया। उभयपक्ष की पहचान उनके विद्वान अधिवक्तागण के द्वारा की गयी तथा इनकी उपस्थिति में समझौता किये जाने संधिपत्र सत्यापित किया गया। संधिपत्र विधिपूर्ण उद्देश्य के लिए है तदनुसार स्वीकार किये जाने योग्य है।

आदेश -

संधिपत्र क-23 स्वीकार किया जाता है। संधिपत्र की शर्तों पर वाद का निस्तारण किया जाता है। संधिपत्र के अनुसार आज्ञप्ति बनाई जायेगी। पत्रावली [illegible] दाखिल दफ्तर हो।

21/12/05

Vijay Kumar Seth

For Amit Seth
Vijay Kumar Seth
POA

For Self & POA of Ankur Bajpai

Veena Bajpai
For Self & POA of Vikram Seth

Ajit Kumar Seth

Rajesh Kumar Seth

मिलानकर्ता - [signature]

[signature] [illegible date]

IN THE COURT OF THE IInd ADDITIONAL CIVIL JUDGE (S.D.)
COURT No.21 LUCKNOW

R.S. No.154 of 2005

Hari Kishore Seth & others .... Plaintiffs

Versus

Smt. Sarojini Devi & others ....Defendants

Fixed For 19.12.2005
21-

Vijay Kumar Seth
For Amit Seth

Application Under Order 23 Rule 3 of the C.P.C. on behalf of the parties.

Vijay Kumar Seth
POA
For Self & POA of Ankur Bajpai
Veena Bajpai
For Self & POA of Vikram Seth
Ajit Kumar Seth
Rajesh Kumar Seth

The parties above named beg to submit as under:-

1. That the parties to the suit have amicably settled their disputes outside the court and have arrived on the following terms:-

(i). That the defendants admit that the late Babu Dwarka Nath Seth was the owner of the properties situated at Lucknow and Kanpur detailed in annexure No. I to this application.

(ii). That the defendants also admit that on 11.10.2004 there was an oral and mutual family settlement between them and the plaintiffs in which they amicably divided the ancestral properties left by late Babu Dwarka Nath Seth.

(iii).That the defendants admit that in the oral and mutual family settlement dated 11.10.2004 mentioned in para ii above the properties detailed in Schedule "A" annexed with the plaint and with this application went to the share of the plaintiffs and the properties detailed in Schedule "B" annexed with the plaint and present application went to the share of the defendants.

(iv).That it is also admitted to the parties that on 11.10.2004 plaintiffs 1, 2, and 4 to 6 relinquished their rights in the properties detailed in Schedule "A" mentioned above in favour of the plaintiff No.3 who became the absolute owner of the properties detailed in Schedlue "A" mentioned above.

Hari Kishore Seth ×
Annapurna Devi ×
Rajesh Kumar Seth ✓
Ritesh Seth ×
Heera Kapur ×

Sarojini Devi — Mother – no more
Vijay Kumar Seth — Brother [illegible]
Ajit Kumar Seth — Self
Anupkwahal — POA for Mrs Sunita Seth & Ravi Seth
Veena Bajpai — Sister of Mr Ajit Seth

A-23
2

(v). That the aforesaid family settlement was also acted upon by the parties and from the date of oral and mutual family settlement dated 11.10.2004 plaintiff No.3 became the absolute owner of the properties detailed in Schedule "A" and the defendants became the absolute owners of the properties detailed in Schedule "B" mentioned above.

(vi). That the parties will bear their respective costs of the suit.

Vijay Kumar Seth
For Amit Seth
Vijay Kumar Seth
POA

Wherefore it is respectfully prayed that the suit may kindly be decided in terms of the above compromise which may be made part of the decree.

Lucknow: Dated: 19.12.2005 [21]

Plaintiffs

(C.K. Seth, Advocate)
Counsel for the Plaintiffs

Defendants

(Arun Khanna, Advocate)
Counsel for the Defendants

For Self & POA of Veena Bajpai
Veena Bajpai
For Self & POA of Vikram Seth
Ajit Seth

Rajesh Kumar Seth

A-27

SCHEDULE OF IMMOVABLE PROPERTIES

SCHEDULE-A -relating to Shri Hari Kishore Seth and others.

1. Immovable properties at Valmiki Marg,Lucknow

Boundaries:

Vijay Kumar Seth

For Amit Seth

Vijay Kumar Seth POA

North: Air-Care Engineers Building
South: Common passage
East: Valmiki Marg
West: Epiphany Church compound.

For Self & POA of Ankit Bajpai

Veera Bajpai

2. Immovable properties at J.C.Bose Marg, Lucknow.

For Self & POA of Vikram Seth

Apitha Seth

Boundaries:

North: Osama Talha road
South: Coronation Ivy court buliding
East: Commercial Motors Service Station
West: J.C.Bose Marg

3. Immovable properties at 4,Capper Road, Lucknow –

Half portion of the building adjacent to Novelty Cinema, Lalbagh,Lucknow.

Boundaries:

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4. Immovable properties at 51/13 Udaiganj,Lucknow-undivided half share with half share in the rental income that may be relized.

5. Immovable property at 15,Daliganj,Lucknow-undivided Half share together with half share in the rental income that may be realized.

6. Immovable properties at 113/69,Swaroop Nagar, Kanpur-Tenanted by M/s. Amar Nath Chiranji Lal,Kanpur

Hari Kishore Seth

Annapurna Devi

Rajesh Kumar Seth

Meera Kapur

Sarojini Devi

Vijay Kumar Seth

Ajit Kumar Seth

Anupam Bajpai

Bajpai

A-23
4

SCHEDULE OF IMMOVABLE PROPERTIES

SCHEDULE-B -relating to Smt. Sarojni Devi Seth(wife of late Shri R.K.Seth)and others.

1. Immovable properties at Valmiki Marg,Lucknow(Chakki Side).

Vijay Kumar Seth
For Amit Seth
Vijay Kumar Seth
For Self & PoA of Anand Bajpai
Veena Bajpai

For Self & PoA of Vikram Seth
Ajit Kumar Seth
Rajesh Kumar Seth

Boundaries:

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6. Immovable properties at 113/68,Swaroop Nagar,Kanpur-In the occupation of Dr.Vijay Kumar Seth and tenants namely Viz M/s. Wig Brothers and M/s Sachdeva presently occupying the portions of the above building.

Jugal Kishore Seth
Annapurna Devi
Rajesh Kumar Seth
Meera Kapur
Ritesh Seth

Sarojni Devi
Vijay Kumar Seth
Ajit Kumar Seth
Anupkwahl
Veena Bajpai