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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(OS) 406/2005**

RAJESH GULATI AND ORS

..... Plaintiffs

Through: Mr. Anil Airi, Senior Advocate with
Mr. Ravi Krishan Chandna and Ms.
Bindiya, Advocates.
Mr. Rajesh Gulati, Plaintiff No. 1.
Mr. Arjun Gulati, Plaintiff No. 2.

versus

JAGDISH CHANDER GULATI AND ORS

..... Defendants

Through: Mr. Amit Saxena, Advocate with Ms.
Niti Kohli, Defendant No. 1 (B).
Mr. Gautam Gulati, Defendant No.
1(A).
Mr. Gautam Gulati, Defendant No. 2
1(a). Smt. Niti Kohli, Defendant No.
2 1(b).

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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24.05.2019

I.A. 7515/2019-U/O 23 R-3

1. This is a joint application under Order 23 Rule 3 of the Code of Civil Procedure 1908 for disposing of the suit in terms of the compromise between the parties.

2. The Plaintiff No. 1 and Defendant Nos. 1 and 2 are real brothers and sisters and have settled their disputes amicably with the intervention of the

members of the family. Plaintiff No.2 is son of Plaintiff No.1.

3. The amended memorandum of parties dated 6th December 2010 reads as under:-

“AMENDED MEMO OF PARTIES

1. Sh. Rajesh Gulati
Son of Sh. Jagdish Chander Gulati
Resident of 32, Bungalow Road
Delhi-110007

2. Sh. Arjun Gulati
Son of Sh. Rajesh Gulati
Resident of 32, Bungalow Road
Delhi-110007

.....PLAINTIFFS

1) Late Sh. Jagdish Chander Gulati(Deceased)
Son of Late Sh. Chanan Mai Gulati
Resident of 32, Bungalow Road
Delhi-110007

THROUGH HIS LEGAL HEIRS

(A) Sh. Gautam Gulati
Son of Sh. Jagdish Chander Gulati
Resident of 32, Bungalow Road
Delhi-110007

(B) Smt Niti Kohli
Wife of Sh. Ashwani Kohli
Resident of A-66, New Friends Colony
New Delhi

2) Sh. Gautam Gulati
Son of Sh. Jagdish Chander Gulati

Resident of 32, Bungalow Road
Delhi-110007

3) Smt Niti Kohli
Wife of Sh. Ashwani Kohli
Resident of A-66, New Friends Colony
New Delhi

4) Smt Pavan Anand
Wife of Late Shri Surender
Resident of J-977, Palam Vihar
Gurgaon (Haryana)

.....DEFENDANTS”

4. It can be seen from the above that after the death of Sh. Jagdish Chander Gulati, Defendant Nos. 2 and 3 were also arrayed as 1 (A) and 1(B) respectively. Defendant No. 4 has been deleted from the array of parties vide order dated 10th May 2019.

5. The parties have executed the Memorandum of Family Settlement dated 15th February 2017 annexed with the present application. All the parties have filed their respective affidavits along with the present application.

6. Defendant Nos. 1 and 2, who are present in the Court today, confirm that they have signed the present application and the supporting affidavits. Learned counsels for the parties support the settlement and pray that the suit be disposed of in terms of the Family Settlement as no further directions are required to be issued by this Court.

7. Accordingly, the present suit is disposed of in terms of the settlement

arrived at between the parties. The parties shall remain bound by the terms and conditions stated in the Family Settlement.

8. The date of 3rd September 2019 stands cancelled.

SANJEEV NARULA, J

MAY 24, 2019

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