



\$~32

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

+ **CS(OS) 150/2023, I.A. 35786/2024**

**SUCHIT TULI**

.....Plaintiff

Through: Mr. Jatin Mongia, Ms. Niyati Kohli,  
Mr. Pratham Vir Agarwal and  
Mr. Anatesh Banon, Advocate along  
with the plaintiff.

versus

**DEVEN TULI & ORS.**

.....Defendants

Through: Mr. O. P. Gulabani and Mr. Mohit  
Singh, Advocates for D-1  
Mr. Tamali Wad and Mr. Varyam  
Pandey, Advocates for D-2 along  
with defendant no.2.  
Mr. Dheeraj P. Deo, Advocate for D-  
3 along with defendant no.3.

**CORAM:**

**HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA**

**ORDER**

%

**07.08.2024**

**I.A. 35786/2024 (u/O 23 R 3 of the CPC by parties)**

1. This is a joint application filed by the parties under Order XXIII Rule 3 of the Code of Civil Procedure, 1908 (CPC) for recording the compromise arrived between the parties as set out in the settlement agreement dated 05.08.2024. The parties seek a decree in terms of the said agreement. The application is duly supported with the affidavits of the parties i.e., the plaintiff and defendant nos. 1 to 3.
2. The plaintiff, defendant no.2 and defendant no.3 are physically present

*CS(OS) 150/2023*

*Page 1 of 5*



in Court and have been identified by their respective counsels. Defendant no.1 has joined the proceedings through video conferencing link and is identified by his counsel.

3. The plaintiff and defendant nos.1 to 3 have confirmed to this Court that they have signed the agreement out of their free will, after due deliberations with their family as well as lawyers and are satisfied with respect to the terms of the settlement and conditions set out in the said agreement dated 05.08.2024.

4. Vide order dated 30.01.2024, this Court had passed a preliminary decree with regard to partition of the immovable property A-58, Kailash Colony, New Delhi. Thereafter vide order dated 16.04.2024, the parties were referred to mediation under the aegis of the SAMADHAN, Delhi High Court Mediation and Conciliation Centre. In the mediation proceedings before SAMADHAN, Delhi High Court Mediation and Conciliation Centre, parties have amicably resolved all their disputes with respect to distribution of the entire estate of late Dr. J.K. Tuli (including, the suit property, monies held in bank accounts, shares held in DMAT accounts, dividends received therefrom and valuables held in lockers in banks) by way of an oral family settlement, terms thereof have been reduced into writing in the settlement agreement dated 05.08.2024.

5. The parties have drawn this Court's attention to the agreement arrived at between the parties with respect to the lockers which is set out at clause 3(i) to 3(v) of this agreement. The parties state that they require directions from this Court with respect to operation and surrender of locker nos. GJ 775 [Clause 3 (i) (a)] and GA 34 [Clause 3 (i) (b)] both held in the Union Bank of India at Kailash Colony Branch, Delhi.



5.1. The parties state that it has been agreed that the contents of the locker no. GA 34 can be recovered by defendant no.2, i.e. Mrs. Sonia Chopra, can retained by her and she can thereafter surrender this locker to the bank and complete all formalities for its closure.

5.2. The parties state that with respect to the locker no. GJ 775, the contents of the said locker have to be received by defendant no.2, Mrs. Sonia Chopra, defendant no.3, Mrs. Namita Tuli and the plaintiff Mr. Suchit Tuli. The parties state that the locker has to be operated by the defendant no.1, Dr. Deven Tuli though he has relinquished all his rights qua the contents of the locker.

5.2.1 The parties stated that they shall present themselves before the Branch Manager of the Union Bank of India, Kailash Colony Branch, Delhi on 12.09.2024 between 10:00 am – 11:00 am so as to enable the plaintiff, defendants no.2 and 3 to recover the contents of both the lockers.

5.2.2 The parties have also agreed that defendant no.3 will be represented on 12.09.2024 either personally or through the plaintiff or through her power of attorney holder i.e., Mr. Manoj Pandey.

5.2.3 The parties further state that after the contents have been recovered, the defendant no.1 will be at liberty to surrender this locker to the bank and complete all formalities for its closure.

6. The aforesaid contentions of the parties are taken on record and the Branch Manager of Union Bank of India, at Kailash Colony Branch, Delhi is hereby directed to facilitate and permit the defendant no.2 to operate and access the locker No.GA 34, recover the contents of the said locker and thereafter complete all formalities for surrender and closure of the said locker.



6.1 In addition, Branch Manager of Union Bank of India, at Kailash Colony Branch, Delhi is directed to facilitate and permit opening of locker No. GJ775 by defendant no. 1 in the presence of the defendant no.2 or her representative on the date fixed i.e., 12.09.2024 between 10 am – 11 am in presence of the persons noted at paragraphs 5.2 and 5.2.2 of this order and permit the said persons to recover the contents of the locker as per their mutual understanding. The branch Manager will there after permit defendant no.1 to complete all formalities for surrender and closure of this locker.

7. This Court has perused the settlement agreement arrived at between the parties with respect to the estate of late Dr. J.K. Tuli and is satisfied that the same is equitable and lawful.

8. Accordingly, the said settlement agreement is taken on record and the suit disposed of in terms of the settlement agreement dated 05.08.2024. The registry is directed to draw up a final decree in terms thereof.

9. The parties, who appear in Court are bound down to their obligations undertaken under the settlement agreement and the terms of the said settlement agreement shall have the force of the decree.

10. The suit is disposed of in terms of the above.

11. All pending applications stand disposed of.

12. Interim orders stand vacated and the parties shall deal with the estate strictly in accordance with the terms of the final decree.

13. The plaintiff is directed to ensure that the copy of this order to be served to the concerned branch Manager of Union Bank of India to enable him to comply with the directions issued in this order.

14. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, [www.delhihighcourt.nic.in](http://www.delhihighcourt.nic.in), shall be treated



as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

**MANMEET PRITAM SINGH ARORA, J**

**AUGUST 7, 2024**

*Mk/sk*