



\$~26

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

+ **CS(OS) 875/2023, I.As. 26128/2023 & 3089/2024**

MADHUR KUKREJA

..... Plaintiff

Through: Mr. Anand Kr. Dubey and Ms.
Harsha Sharma, Advs. (M.
9650428291)

versus

ANIL KUMAR KUKREJA & ORS.

..... Defendants

Through: Mr. Vijay Arora and Mr. Karan
Singh, Advs. for D-1 to 3 (M. 99107
05067)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **08.02.2024**

1. This hearing has been done through hybrid mode.
2. The present suit has been filed by the Plaintiff- Madhur Kukreja seeking declaration of title, partition and permanent injunction in respect of the suit property bearing Property No. B- 132, Surajmal Vihar, New Delhi- 110092. The suit property was originally purchased in the name of Smt. Mamta Kukreja, the wife of Defendant No. 3, in which a duplex house was existing. According to the Plaintiff, in the year 2000, the suit property was transferred in the name of Defendant No. 3- Jatinder Kukreja and also Sh. Hari Lal Kukreja in equal shares. The Plaintiff claims 1/9th share in the suit property as also other some other assets.
3. Today, Id. Counsels for all the parties submit that disputes have been resolved in terms of the agreement dated 20th January, 2024. The terms and conditions of the agreement are as under:-



“1. Sh. Madhur Kukreja fully recognises and acknowledges that the above mentioned properties are self acquired properties of his grandfather Sh.. H.L Kukreja and since Sh. H.L. Kukreja passed away intestate, Sh. Madhur Kukreja has no share in the aid properties.

2. However, due to issues having arisen due to filing of the suit in the minds of the buyers of B-132, Surajmal Vihar and the said transaction being at an advanced stage, Sh. Anil Kumar Kukreja has agreed to pay Rs. 15,00,000/- (Rupees Fifteen Lakh Only) to Sh. Madhur Kukreja in consideration of him unconditionally withdrawing the suit filed by him and acceptance of not having any share in the properties of Sh. H.L. Kukreja, including the properties mentioned above.

3. The amount of Rs. 15,00,000/- (Rupees Fifteen Lakh Only) shall be paid by Sh. Anil Kukreja on or before 24/01/2024. Sh. Madhur Kukreja shall file appropriate application for withdrawing the suit bearing no. CS(OS) 875/2023 along with interim application bearing no. I.A. 26128/2023 before the Hon'ble Delhi High Court within one day thereafter and shall in any case withdraw the suit on or before 25/01/2024 and shall provide certified copies thereof to Defendants.

4. Sh. Madhur Kukreja further undertakes not to file any suit, legal proceeding, or any claim whatsoever over any properties of Sh. H.L. Kukreja including specifically the properties mentioned above.

5. Sh. Madhur Kukreja hereby agrees and confirms that there is no claim by him against Sh. Anil Kukreja.

6. Sh. Madhur Kukreja hereby records and confirms that, he will not have any right, title or interests in the properties/assets inherited by Sh. Anil Kukreja from Late Sh. H.L Kukreja and shall not have



any claim or right against any other property of Sh. Anil Kukreja.”

4. The Court has perused the settlement agreement dated 20th January, 2024. The same is in writing and has been signed by all the parties. In terms of the said settlement agreement, the Plaintiff has given up her rights in respect of the assets of the Defendant No. 1. The cheque for the amount of Rs. 15,00,000/- has been handed over. Let the same be encashed. Ld. Counsel for the Defendants assures that the same would be honored and adequate funds shall remain available in the account from which the cheque has been issued.
5. In view of the settlement, the suit is permitted to be withdrawn. Parties and all others acting for and, on their behalf, shall be bound by the terms of the settlement agreement dated 20th January, 2024. The suit is dismissed as withdrawn.
6. Considering the fact that immediately after the first date of hearing before the Court, disputes have been resolved between the parties, in terms of the decision of the Division Bench of this Court in ***Nutan Batra v. M/s. Buniyaad Associates, 2018 (255) DLT 696***, full Court fee is directed to be refunded to the Plaintiff.
7. The next date before the Joint Registrar stands cancelled.

PRATHIBA M. SINGH, J.

FEBRUARY 08, 2024

mr/am