



\$~10

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

+ **CS(OS) 427/2016 & I.A. 34543/2024**

SH SATISH BANSAL

.....Plaintiff

Through: **Mr.Neeraj Grover &
Mr.Kashish Sethi, Advs.**

versus

HARISH BANSAL & ORS

.....Defendants

Through: **Mr.Manoj Loomba &
Mr.Vishant Prakash, Advs. for
D-1, D-8, D-9 & D-15.**

**Mr.Mohit K. Mudgal,
Mr.Sachin Dubey, Mr.Sukesh
Tyagi & Mr.Mudit Marwah,
Advs. for D-2, D-10 & D-11.**

**Ms.Mehak Nakra, Ms.Umang
Aditya Singh & Ms.Tanvi,
Advs. for D-5 to D-7 & D-12 to
D-14.**

**Defendants (except for D-4, D-
6, D-12 & D-14) are present
physically and/or virtually.**

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **26.07.2024**

1. This Suit has been filed, *inter alia*, praying for a decree of partition.
2. During the pendency of the present Suit, the parties to the Suit, by way of an Oral Family Settlement, later recorded in the form of a Memorandum of Oral Family Settlement dated 22.07.2024, have settled their *inter se* disputes. The Memorandum of Family Settlement has been executed by the plaintiff, defendant no.1, defendant no.2, and defendant no.8 for and on behalf of the other defendants as well, from



whom they claim to be holding the Power of Attorneys.

3. The plaintiff, defendant no.1, defendant no.2 and defendant no.8 are also present in person before this Court. They identify their signatures on the Memorandum of Family Settlement, on the application as also on the affidavit in support of the application. They affirm the contents of the Family Settlement and state that they shall remain bound by the terms thereof.

4. The learned counsels have identified the parties who have appeared either physically or virtually before this Court.

5. I have also perused the terms of the Memorandum of Family Settlement and find the same to be lawful.

6. Accordingly, the application is allowed and the Suit is decreed in terms of the Memorandum of Family Settlement.

7. Let a decree-sheet be drawn accordingly.

8. Since the decree is being passed on the basis of an Oral Family Settlement, which was later recorded in the form of a Memorandum of Family Settlement, in view of the judgements of this Court in *Nitin Jain v. Anuj Jain*, 2007 SCC OnLine Del 582; *Mst. Razia Begum v. Mohd. Ilyas & Ors.* 2012 SCC OnLine Del 1015; *Himani Walia v. Hemant Walia & Ors.*, 2022 SCC OnLine Del 893, and *Sh.Dinesh Kapoor v. Mr.Mukesh Kapoor & Ors.* 2023 SCC OnLine Del 3341, the decree does not require any stamp duty to be paid/affixed.

NAVIN CHAWLA, J

JULY 26, 2024/rv/SJ

[Click here to check corrigendum, if any](#)