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

+ **CS(OS) 286/2018**

MWO KARAMVIR TANWARPlaintiff

Through: Mr. Varun Jain, Adv. with plaintiff in
person

versus

NIRAJ KUMAR TANWAR & ORS.Defendants

Through: Ms. Ridhi Dua for Sachin Chauhan
for D-1/Neeraj Tanwar
Mr. Ajit Nair, Adv. for D-2 and 6

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **02.05.2025**

CS(OS) 286/2018

I.A. 11082/2025 (joint application on behalf of all the parties to the suit under Order XXIII Rule 3 read with Section 151 CPC for compromise decree)

1. This is an application filed by the plaintiff along with defendant nos. 1 to 6 under Order XXIII Rule 3 Code of Civil Procedure, 1908 ('CPC') for decreeing of the present suit in terms of the Memorandum of Family Settlement ('MoFS') dated 26.03.2025. The MoFS has been duly placed on record.

2. Plaintiff, defendant no. 2 and defendant no. 6 are present in Court and are identified by their respective counsels. Defendant no. 1, defendant no. 3, defendant no. 4 and defendant no. 5 have joined the proceedings through video conferencing and are duly identified by their counsels.

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3. The application is duly signed by the parties and supported by their affidavits.

4. The MoFS at internal page 3 and 4, records the details of the assets which are the subject matter to the settlement and the subject matter of the captioned suit which reads as under:

“Details of Assets of Late Sh. Bhanwar Singh Tanwar, which are subject after of this Memorandum of Family Settlement Deed and subject matter in Civil Suit No.286 of 2018 pending before the Hon'ble High Court of Delhi at New Delhi.

S. N.	PARTICULARS OF MOVABLE AND IMMOVABLE PROPERTY	‘PRESENT STATUS’
1.	Built up Property No. WZ-253 and WZ-253(O), Naraina Village, New Delhi-110028, area admeasuring 70sq.yards	Presently in the possession of Mr. Karamvir Tanwar and Ms. Kaushalaya Devi
2.	Built-up Property No. CB-95, Ring Road, Naraina, New Delhi-110028 area admeasuring 100 sq. yards.	Presently in the possession of Mr. Ram Kumar Tanwar and Mr. Ishant Tanwar
3.	Built-Up Property No. 3583, Sector-23, HUDA, Gurgaon-122017 (Haryana), area admeasuring 273 sq. yards,	Presently in the possession of Mr. Neeraj Kumar Tanwar
4.	Fixed Deposits with the Syndicate Bank, Naraina, New Delhi and P.O. Nariana Village, approx. more than Rs. 36,00,000/- (Rupees Thirty Six Lakhs only)	Presently in possession of Mr. Karamvir Tanwar

5. The terms of settlement have been set out at clause 1 to 4. The final distribution of the assets as per the settlement deed has been summarized and set out at paragraph 3 (viii), which reads as under:

“(viii) **THAT final distribution** of assets as per this settlement

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deed of Assets of Late Sh. Bhanwar Singh Tanwar, is reproduced as under:

S. N.	PARTICULARS OF MOVABLE AND IMMOVABLE PROPERTY	FINAL DISTRIBUTION OF ASSETS AS PER THIS SETTLEMENT DEED
1.	Built up Property No. WZ-253 and WZ-253(O), Naraina Village, New Delhi-110028, area admeasuring 70sq.yards	Ground Floor: MR. NIRAJ KUMAR TANWAR 1st and 2 nd floor: MR. KARAMVIR TANWAR
2.	Built-up Property No. CB-95, Ring Road, Naraina, New Delhi-110028 area admeasuring 100 sq. yards. Rupees One Crore	MR. RAM KUMAR TANWAR MR. ISHANT TANWAR
3.	Built-Up Property No. 3583, Sector-23, HUDA, Gurgaon-122017 (Haryana), area admeasuring 273 sq. yards,	50% SHARE: MR. KARAMVIR TANWAR 50% SHARE: MR. NIRAJ KUMAR TANWAR
4.	Fixed Deposits with the Syndicate Bank, Naraina, New Delhi and P.O. Nariana Village, Rs. 45,53,876/- (Rupees Forty-five lacs fifty-three thousand eight-hundred and seventy-six only)	Equally distributed to MRS. SUMITRA, MRS. KAUSALYA, MRS. PRABHA KUMARI, KARAMVIR TANWAR AND NIRAJ KUMAR

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		TANWAR
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6. The settlement deed records that the parties will execute relinquishment deeds in favour of each other in conformity with the division of assets as recorded in this settlement. The parties confirm that upon execution of this MoFS, the immovable assets and the movable assets forming part of the estate of late Sh. Bhanwar Singh Tanwar stand fully divided between the parties.

7. Learned counsel for the plaintiff states that four demand drafts for a total sum of Rs. 1 crore as stipulated in paragraph 3 (iii) of the MoFS, have been brought to Court and have been handed over to defendant no. 6.

Defendant no. 6 acknowledges receipt of the aforementioned demand drafts.

The copies of the said demand draft have been handed over and are taken on record.

8. This Court has interacted with the parties, and the parties confirm the due execution of the MoFS dated 26.03.25 and undertake to abide by the same. The parties further confirm that the MoFS has been executed after taking due legal advice and without any coercion.

9. This Court is satisfied that the settlement is lawful. The Memorandum of Family Settlement ('MoFS') dated 26.03.2025 is taken on record and is marked as **Ex. C-1**. The copies of the demand drafts are marked as **Ex. C-2/A, C-2/B, C-2/C and C-2/D**. The suit is decreed in terms of the MoFS dated 26.03.2025 and the deed shall form part of the decree. The statements of the parties are accepted and the parties bound down to the terms recorded in the settlement.

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10. All pending applications stand disposed of.
11. Interim orders shall stand merged into the final settlement agreed between the parties.
12. All future dates stand cancelled.

MAY 2, 2025/msh/akp

MANMEET PRITAM SINGH ARORA, J

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

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