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

+ **ARB.P. 2061/2025**

NAVNEET KUMAR SUREKA & ANR.Petitioners

Through: Mr. Tanmaya Mehta, Mr. Shivam
Goel, Ms. Ramya S. Goel, Mr. Jatin
Dua and Ms. Sanya Sharma,
Advocates.

versus

VISHNU KUMAR SUREKA (HUF) & ORS.Respondents

Through: Mr. Sandeep Sethi, Senior Advocate
with Mr. Varun Chugh, Ms. Shivika
Mehra, Mrs. Shagun Shahi Chugh and
Mr. Yudhveer Singh, Advocates for
R1 to R3.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **05.05.2026**

I.A. 7625/2026

1. This Application under Sections 152 and 153 of the CPC has been filed on behalf of the Petitioners, seeking modification of Paragraphs No.7 and 26 of the Judgment dated 24.02.2026 passed by this Court, whereby a Sole Arbitrator was appointed by this Court to adjudicate upon the disputes between the parties herein under a Memorandum of Understanding dated 04.05.2024 [**“MoU dated 04.05.2024”**].

2. Paragraphs No.7 and 26 of the Judgment dated 24.02.2026 read as under:

“7. It is stated that in early 2024, with the consent of all



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family members including Respondents No.2 and 3, a comprehensive oral family settlement was finally arrived which was formally recorded in the Memorandum of Understanding dated 04.05.2024 (hereinafter referred to as the 'MoU'), under which 34 family-held companies were divided between two groups, described in the MoU as Group A and Group B. Under the said MoU, Mauria Udyog Limited and 16 other companies mentioned in Group A were given to the Petitioner No.1, his HUF, his wife and son, who were described as "parties to the first part" of the MoU. While the remaining companies, including Jotindra Infrastructure Limited, Veshnodevi Properties Private Limited and 15 other companies mentioned in Group B were given to Respondents No.4 and 5, who were described as "parties to the second part" of the MoU. It is pertinent to mention that Respondent No.3 was a witness to the MoU dated 04.05.2024. It is also pertinent to mention that Respondent Nos. 1, 2 and 3 are not signatories to the MoU dated 04.05.2024.

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26. The facts of the case reveal that Petitioner No.1 and Respondent No.4 are the children of Respondent Nos.2 and 3. There is a discord between the two brothers and the members of the family. In the Family Settlement, the companies have been divided between Group-A and Group-B. Parents, who are Respondent Nos.2 and 3, are supporting the case of Respondent No.4. The Petitioner No.1, his wife (Respondent No.6) and his son (Respondent No.7) along with Petitioner No.2 (HUF) are now in one group which is Group-A. Parents (Respondents Nos.2 and 3) and their younger son (Respondent No.4) along with their respective HUFs, i.e., Respondent No.1 & 5, are now in the other group, which is Group-B. It is also admitted that there are about 39 companies in the family which are subject matter of this



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petition were on other side, wherein 18 companies were assigned to Group-A and 21 companies were assigned to Group-B. The dispute is regarding division of companies between the two groups.”

3. As far as the modifications sought in Paragraph No.7 of the Judgment dated 24.02.2026 is concerned, learned Counsel for the Petitioners submits that MoU dated 04.05.2024 does not refer to the company M/s Veshnodevi Properties Private Limited at all. He further states that in Paragraph No.7, inadvertently, it has been mentioned as “15 other companies,” instead of “16 other companies,” which is also incorrect.

4. As far as the modifications sought in Paragraph No.26 of the Judgment dated 24.02.2026 is concerned, learned Counsel for the Petitioners submits that this Court has recorded, “*It is also admitted that there are about 39 companies in the family which are subject matter of this petition were on other side, wherein 18 companies were assigned to Group-A and 21 companies were assigned to Group-B.*”. He states that the number of companies i.e., 39 companies, mentioned in Paragraph No. 26 refers to the Family Settlement dated 19.02.2022. He states that the stand of the Petitioners was always that the Family Settlement dated 19.02.2022 was a draft circulated by Mr. Anand Gupta, a close family elder, and the same was never signed and accepted by the family. He, therefore, states that the word “admitted” mentioned in Paragraph No.26 is giving an expression as if the Petitioners admitted entirely to the contents of the Family Settlement dated 19.02.2022. He, therefore, states that the phrase, “*It is also admitted that*” be removed from Paragraph No.26 of the Judgment dated 24.02.2026.

5. Learned Senior Counsel appearing for the Respondents submits that



they have no objection if the modifications as prayed for by the Petitioners are incorporated in Paragraphs No.7 and 26 of the Judgment dated 24.02.2026.

6. In view of the above, Paragraphs No.7 and 26 of the Judgment dated 24.02.2026 will now be read as under:

“7. It is stated that in early 2024, with the consent of all family members including Respondents No.2 and 3, a comprehensive oral family settlement was finally arrived which was formally recorded in the Memorandum of Understanding dated 04.05.2024 (hereinafter referred to as the ‘MoU’), under which 34 family-held companies were divided between two groups, described in the MoU as Group A and Group B. Under the said MoU, Mauria Udyog Limited and 16 other companies mentioned in Group A were given to the Petitioner No.1, his HUF, his wife and son, who were described as “parties to the first part” of the MoU. While the remaining companies, including Jotindra Infrastructure Limited and 16 other companies mentioned in Group B were given to Respondents No.4 and 5, who were described as “parties to the second part” of the MoU. It is pertinent to mention that Respondent No.3 was a witness to the MoU dated 04.05.2024. It is also pertinent to mention that Respondent Nos. 1, 2 and 3 are not signatories to the



MoU dated 04.05.2024.

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26. The facts of the case reveal that Petitioner No.1 and Respondent No.4 are the children of Respondent Nos.2 and 3. There is a discord between the two brothers and the members of the family. In the Family Settlement, the companies have been divided between Group-A and Group-B. Parents, who are Respondent Nos.2 and 3, are supporting the case of Respondent No.4. The Petitioner No.1, his wife (Respondent No.6) and his son (Respondent No.7) along with Petitioner No.2 (HUF) are now in one group which is Group-A. Parents (Respondents Nos.2 and 3) and their younger son (Respondent No.4) along with their respective HUFs, i.e., Respondent No.1 & 5, are now in the other group, which is Group-B. There are about 39 companies in the family which are subject matter of this petition were on other side, wherein 18 companies were assigned to Group-A and 21 companies were assigned to Group-B. The dispute is regarding division of companies between the two groups.”

7. Paragraphs No.7 and 26 of the Judgment dated 24.02.2026 are modified to the aforesaid extent.

8. Let the present Order and the Judgment dated 24.02.2026 be read conjointly.



9. The Application is disposed of in the aforesaid terms.

SUBRAMONIUM PRASAD, J

MAY 05, 2026

S. Zakir