

APPLICATION NOS.5722 AND 5723 OF 2013
IN C.S.NO.308 OF 1980

PUSHPA SATHYANARAYANA, J.

Application No.5722 of 2013 is for allotment of 1/3rd share to the plaintiffs, who are the applicants and Application No.5723 of 2013 is for appointment of Advocate Commissioner to divide the property my metes and bounds in terms of the preliminary decree.

2. Though an Advocate Commissioner was originally appointed and a plan was filed by him, it was not agreeable between the parties. Thereafter, with the consent of all the parties, a direction was given to take a digital survey of the suit property. As per the said digital survey, the property was demarcated and separated into three portions. The said three portions on the digital survey plan are separately identified by three different colours to each of the portion.

3. Accordingly, Portion - 1, shaded in Red colour, measuring about 2629.473 sq.ft is agreed to be allotted to the 10th defendant - Mrs.Urmila Dhariwal.

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4. Portion - 2, shaded in Blue colour, measuring about 2629.473 sq.ft will be allotted to the applicants / plaintiffs, viz., Ms.M.Sakunthala, M.Prakash, M.Suresh and M.Ashok Kumar. The fourth applicant M.Suresh signed on behalf of other plaintiffs.

5. Portion - 3, which is shaded in Green colour, measuring about 2629.473 sq.ft is earmarked to be allotted to the defendants 3 to 9, namely, Nirmal Chand, Vijaya, Madhu, Veena, Arthi, Arun and Chandrabai.

6. As all the three Branches have agreed for such division and signed the joint memo dated 22.09.2016 countersigned by their respective counsels, the same is recorded. There will be a final decree in terms of the above joint memo dated 22.09.2016. The joint memo as well as the plan attached to the memo, will form part and parcel of the final decree. The suit is decreed accordingly. No costs.

22.09.2016

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