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

+ **CS(OS) 2302/2012**

SACHIN VIJ

..... Plaintiff

Through: Mr. Ashok Popli, Advocate.

versus

OM VIJ & OTHERS

..... Defendants

Through: Mr. Rajesh Bhatia, Advocate with
Mr. Ankit Taneja, Advocate for
defendant Nos.5 and 7.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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18.03.2016

**I.A. No.3603/2016 (under Order 23 Rule 3 CPC) and CS(OS)
No.2302/2012**

1. By this application (I.A. No.3603/2016) under Order 23 Rule 3 of Code of Civil Procedure, 1908 (CPC) and which is filed on behalf of the plaintiff and defendant nos.5 and 7, it is stated that suit has been compromised between the plaintiff and defendant nos.4 to 7 inasmuch as defendant nos.4 and 6 have relinquished their shares in favour of the defendant no.5 and now therefore there are only three parties who are interested in the suit property being the plaintiff and defendant nos.5 and 7.

CS(OS) No.2302/2012

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Accordingly, this application is filed and signed by the plaintiff and defendant nos.5 and 7, and also supported by their affidavits. The suit property has to be divided between the parties as per the plan which is annexed to this application.

2. Accordingly, this partition suit is disposed of as compromised as per the terms stated in the present application alongwith the site plan which will form part of the decree, however, it is clarified that this compromise decree will only bind the parties to the application and no other party to the suit.

3. Suit and application are accordingly disposed of, leaving the parties to bear their own costs.

VALMIKI J. MEHTA, J

MARCH 18, 2016

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