

\$~12

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **CS(OS) 879/2015 & IA No. 6507/2015 (U/O. 39, R-1 & 2)**

SANJIV KUMAR MALHOTRA & ANR Plaintiffs
 Through Mr. Sushant Kumar & Ms. Shikha Singh
 Advocates
 versus

KAMAL MALHOTRA & ORS Defendants
 Through Mr. Dhruv Kumra, Advocate

CORAM:**HON'BLE MR. JUSTICE G.S.SISTANI****ORDER**% **19.10.2016**

Counsel for the parties agree that the defendant no.3 who is a minor may be represented through his natural guardian(mother)-defendant no.1 as the defendant no.1 does not have any interest adverse to that of the minor.

Counsel appearing for defendant no.1 submits that defendant no.1 has no objection in case defendant no.3 is represented through his mother, defendant no.1. Accordingly, defendant no. 3 shall be represented through his natural guardian i.e. the mother(defendant no.1).

Plaintiff has filed the present suit for partition. Parties have entered into an amicable settlement before the Delhi High Court Mediation & Conciliation Centre. The terms of the settlement have been detailed in the order of 06.01.2016.

Counsel for the parties further submit that they have made attempts to sell the suit property, however, no firm offer has been received till now.

Counsel for the parties submit that no purpose would be achieved by keeping the present matter pending and pray that a final decree be passed. Accordingly, as agreed, a final decree is passed with respect to

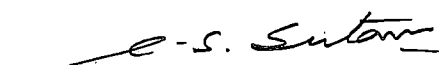
Signature Not Verified

Signing Date:05.10.2024 17:21:42
 Certify that the digital and physical file have
 been compared and the digital data is as per
 the physical file and no page is missing.

property bearing no.K-50, B.K. Dutt Colony, New Delhi. The plaintiffs are to be entitled to $2/3^{\text{rd}}$ share in the property and the defendants $1/3^{\text{rd}}$ shares collectively.

It is agreed that the parties will make a sincere endeavour to sell the property within six months from today. If for any reasons, parties are unable to sell the suit property, it would be open for any of the parties to approach this Court for execution of the decree.

The counsel for the parties submit that defendant no.1 would approach the Guardian Court for appointment of defendant no.1 as a guardian of defendant no.3 to facilitate the sale of the property.


G.S.SISTANI, J.

OCTOBER 19, 2016

P