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

+ **CS(OS) 247/2016 & I.A.No. 6340/2016 (stay)**

SMT CHANCHAL Plaintiff

Through: Mr. N.Pandey, Adv.

versus

SMT KANTA DEVI AND ORS Defendants

Through

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **19.05.2016**

1. After arguments, this suit for partition is disposed of as not pressed and liberty as prayed for is granted to urge all facts and cause of action stated in the present suit as a defence to the suit for possession filed against the plaintiff and which is a suit being CS(OS) No. 48/2015 titled as ***Smt. Kanta Vs. Smt. Chanchal*** pending before the court of Ld. ADJ, Tis Hazari, Delhi. Also, reliefs claimed in the present suit and if the plaintiff so thinks fit, can also be claimed in the suit for declaration filed by the plaintiff in civil suit bearing CS No. 113/2016 titled as ***Smt. Chanchal Vs. Smt. Kanta*** challenging the Family Settlement dated 11.8.2005 and the Mutual

Agreement dated 20.3.2008. Of course, I am not observing in any manner with respect to what is the legal entitlement of the plaintiff whether the same is valid or not etc etc and these aspects in accordance with law will be decided in the aforesaid two suits.

2. The Suit is accordingly dismissed as withdrawn with the liberty given as stated above.

VALMIKI J. MEHTA, J

MAY 19, 2016
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