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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) No.290/2016 & IA No.7193/2016 (under Order XXXIX
Rules 1&2 CPC).

DHANO DEVI MITTAL & ANR Plaintiffs

Through: Mr. Rishi Manchanda, Adv.

versus

RAJ KHERIA & ANR Defendants

Through: Mr. S.S. Sastry, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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02.03.2017

1. The two plaintiffs and the two defendants in this suit for partition of property bearing no. Municipal No.22, Ground Floor situated at East Avenue Market, East Punjabi Bagh, New Delhi – 110 026 and land *ad measuring* 142 sq. yds. underneath the said ground floor and for ancillary reliefs, were vide order dated 16th September, 2016 referred to the Mediation Cell of this Court.
2. Mediation has been successful with the efforts of Mr. Yudhvir Singh Chauhan, Advocate/Mediator and a Settlement Agreement dated 7th February, 2017 purporting to be signed by the two plaintiffs as well as the two defendants as well as by their counsels and the Mediator has been received.
3. The counsel for the plaintiffs and the counsel for the defendants support the settlement.
4. A perusal of the Settlement Agreement shows the compromise arrived at between the parties to be lawful and is allowed.

5. The parties have vide the said compromise divide/partitioned the property, for partition of which this suit was filed, amongst themselves by metes and bounds as described in the Settlement Agreement and as shown in the Site Plan Annexure-A thereto.

6. I have made the counsels aware that if they want a decree to be drawn up and to constitute a document of title of their separate portions, they will have to pay Stamp Duty for preparation of the decree.

7. The counsels state that the two plaintiffs and the two defendants will equally, in proportion of 1/4th share each will share the cost of the stamp paper.

8. Accordingly, a decree of partition of the ground floor of property no.22 consisting of ten shops situated at East Punjabi Bagh Market, New Delhi – 110 026 declaring the shares of each of the two plaintiffs and each of the two defendants therein in terms of Settlement Agreement and of partition of property by metes and bounds, also in terms of Settlement Agreement is passed and the Settlement Agreement along with the site plan annexed thereto shall form part of the decree sheet and leaving the parties to bear their own costs.

9. Decree sheet be prepared.

RAJIV SAHAI ENDLAW, J

MARCH 02, 2017

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