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

+ RFA 58/2018 and C.M. No.2191/2018(stay)

INDER KAUR (SINCE DECEASED)THROUGH SMT. KULVINDER
KAUR Appellant

Through: Mr. Rahul Sharma, Advocate with
appellant in person. (M.
No.9911339930).

versus

GURDEEP KAUR Respondent

Through: Mr. Pradeep Dewan, Senior Advocate
with Mr. Ujjwal Jha, Advocate with
respondent in person. (M.
No.9958178204).

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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11.09.2018

1. After arguments, a pass over was taken by the parties for negotiations. Counsels for the parties have also talked to their respective clients.

2. It is accordingly agreed and this appeal is disposed of with the consent order that a preliminary decree is passed declaring that appellant will have 75% ownership rights in the property no.C-236, Defence Colony, New Delhi and the respondent will have 25% ownership rights in the suit

property. Also, simultaneously it is agreed that this preliminary decree of 75% : 25% is passed with the fact that parties will enter into a Collaboration Agreement with a builder who will reconstruct the property and the builder after taking his share will give shares in the suit property to the parties to the present appeal with 75% share being given to the appellant and 25% share being given to the respondent.

3. It is clarified that no final decree is passed because parties agree to get the settlement effected outside the Court by entering into an agreement with the builder. In case, there are any difficulties and a final decree has to be passed which will have to be executed, at that stage, parties can move an application for passing of a final decree. If any claim with respect to ownership rights in the suit property is made by Sh. Prabhjot Singh, the same will be satisfied by the appellant herein out of the 75% share falling to the appellant.

4. Appeal is accordingly disposed of in terms of the aforesaid consent order.

VALMIKI J. MEHTA, J

SEPTEMBER 11, 2018

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