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

+ **RFA 569/2003**

ANIL KUMAR SANGAL & ORS.

..... Appellants

Through: Mr. N.L. Sahay, Advocate with Mr. Liyakat Ali, AR of A-2 and LR's of A-1.

Mr. Vijay Aggarwal, Attorney of LR's of A-3 (Mobile No. 9899986943).

versus

DARSHAN DEVI SEHGAL & ORS.

..... Respondents

Through: Mr. Mahmood Hasan, Advocate for R-2 (Mobile No. 9810756377).

Mr. Virendra Rawat, Advocate (Mobile No. 98101277729).

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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14.11.2018

1. Counsels for the parties have very fairly advised their respective clients for an amicable settlement, and who have agreed, and therefore this appeal is disposed of with the following consent order:-

(i) The total physical area of the suit property available at site is of 809 sq. yards bearing plot numbers 250, 251 and 252, Block-C, Pandav Nagar, Delhi.

(ii) The aforesaid area of 809 sq. yards is to be divided in three parts, with 309 sq. yards going jointly and equally to each

of the appellants i.e. each of the three appellants will get 103 sq. yards. It is to be noted that appellant no. 3 has expired and therefore appellant no. 3's share of 103 sq. yards will jointly go to the legal heirs of the appellant no. 3. The respondent no. 2 will get an area of 100 sq. yards. Respondent no. 3 will receive an area of 400 sq. yards.

(iii) Each of the three parties i.e. appellants together, respondent no. 2 and respondent no. 3 will get frontage in the suit plot which abuts the main gali/road having the largest width. It is also further clarified that the division of the plots will be so done that plots of the respondent nos. 2 and 3 will be contiguous to each other.

(iv) The demarcation in terms of the present compromise of delineation of the respective lands to the respective parties will be done in the title documents which will be executed by the appellants in favour of respondent nos. 2 and 3 within 45 days. The documents so executed will be signed by all the aforesaid parties. The charges towards documentation will be borne by respondent nos. 2 and 3 respectively.

2. It is noted that respondent no. 1 was *ex parte* in the trial court, as also in this Court, and therefore the present parties can always enter into this settlement which will bind the respondent no. 1.

3. The appeal is disposed of in terms of the aforesaid consent order.

VALMIKI J. MEHTA, J

NOVEMBER 14, 2018/AK