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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 46/2018, IA No.5110/2018
MANISH GOEL Plaintiff
Through: Ms. Vandana Bhatnagar, Adv.

versus

MURTI & ORS Defendants
Through: Mr. Dinesh Garg with
Ms. Rachna Agrawal, Adv.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **17.04.2018**

IA No.5111/2018(u/O.XXIII R.3 & 3A CPC r/w. S.151 CPC)

1. Preliminary decree was passed in this suit on 6.2.2018. The shares of the parties are stated in para 3 of the order dated 6.2.2018.
2. By the present application, it is prayed that the final decree be passed inasmuch as the plaintiff's share has now been specifically delineated which is shown in red colour in the site plan, Annexure A and of which the plaintiff will be the exclusive owner because of his share. The other portions of the property will remain joint between the other co-owners and who are the defendants in the suit.
3. Suit is accordingly disposed of by passing a final decree as per the terms stated in this application along with the site plan and which

will form decree between the parties.

4. Final decree of partition however be drawn up on the parties depositing the necessary non-judicial stamp duty under Article 45 of the Stamp Act, in accordance with law. If any issues surviving with respect to valuation of the property, for determining the non-judicial stamp duty payable, this aspect will be decided by the concerned Joint Registrar on an appropriate application being filed.

5. The above application is disposed of along with all other pending applications.

VALMIKI J. MEHTA, J

APRIL 17, 2018

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