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IN THE HIGH COURT OF DELHI AT NEW DELHI

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EX.P. 18/2017

SUNIL MOHAN & ANR.

..... Decree Holders

Through : Mr. M. A. Niyazi, Adv. with
Mr. Manish Kumar, Adv.

versus

ANIL PERSHAD & ORS.

..... Judgement Debtors

Through : Mr. Uttam Datt, Adv. for JD Nos. 1-6
Mr. Mahipal Singh Rajput, Adv. for
JD No.8.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **24.05.2018**

1. In view of the judgment delivered by a Full Bench of this Court in the case of *Indu Singh and Anr. Vs. Prem Chaudhary and Ors.* in O. REF. 2/2018 in CS (OS) 1098/2005, decided on 11.5.2018, this execution petition for execution of a final decree for partition would not be maintainable unless the final decree for partition is stamped as per Article 45 of the Stamp Act, 1899.

2. Accordingly, this execution petition is disposed of for the time being with liberty to any of the parties to revive the same on a final decree being prepared in accordance with law including by necessary stamping of the same.

VALMIKI J. MEHTA, J

MAY 24, 2018/SRwt