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

+ **CS(OS) 239/2016 and I.A. No. 6181/2016 (for stay)**

SH GAURAV AGNIHOTRI & ANR Plaintiffs

Through: Mr. Karnal Singh, Advocate.

versus

SH AFTAB CHADHA & ANR Defendants

Through: Mr. Jai Bhagwan, AR of defendant
no. 2 (identified by counsel for the
plaintiffs).

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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15.01.2018

1. A preliminary decree was passed in this suit vide judgment of a learned Single Judge dated 11.10.2017. There has been no challenge to this preliminary decree which therefore has become final.

2. Vide order dated 14.11.2017 passed, Sh. H.P. Sharma, former Registrar of this Court, was appointed as a Local Commissioner to suggest ways and means of partition of the suit property bearing No. 144, (measuring 215 sq. metres), situated at Masjid Moth Extension Residential Scheme, Uday Park, New Delhi and the Court Commissioner has filed his report in this Court in a sealed cover. The sealed cover is opened. Parties have perused the report of the Court Commissioner dated 12.1.2018 and do not object to the same.

3. Accordingly, a final decree for partition is passed in this suit in terms of the report of the Local Commissioner dated 12.1.2018 along with the plan annexed thereto.
4. Necessary non-judicial stamp duty will be paid on this final decree of partition in terms of Section 2(15) of the Indian Stamp Act, 1899 read with Article 45 thereof.
5. The suit is accordingly disposed of by passing a final decree, as stated above, leaving the parties to bear their own costs.

VALMIKI J. MEHTA, J

JANUARY 15, 2018

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