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

+ EX.P. 56/2018

KIRAN MALHOTRA & ORS Decree Holders
Through: Mr. Arjun Sanjay, Adv.

Versus

REKHA KAPOOR & ORS Judgement Debtors
Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **01.06.2018**

EA No.237/2018 (for exemption)

1. Allowed, subject to just exceptions.
2. The application is disposed of.

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3. Execution is sought of a final decree of partition of sale of the property and distribution of sale proceeds amongst the parties.
4. The execution is not accompanied with the decree sheet.
5. The counsel for the decree holders (DHs) states that the decree sheet has not been prepared as yet.
6. As per the dicta of the Full Bench of this Court in ***Indu Singh Vs. Prem Chaudhary*** 2018 SCC OnLine Del 8951, court fees/stamp duty is payable on a decree of partition of sale of immoveable property also and the decree must not have been prepared for the said reason.

7. The DHs to take steps for preparation of the decree and to file execution thereafter.
8. The execution petition is disposed of.

RAJIV SAHAI ENDLAW, J.

JUNE 01, 2018

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