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

+ CS(OS) 2614/2013 & I.A.No.20928/2013

NEELU RAMNANI Plaintiff

Through Mr.Mohit Gupta, Advocate.

versus

SANJAY KATARIA & ORS Defendants

Through Mr.Lalit Gupta with Ms.Peyusha
Singh and Mr.Milind Jain, Advocates
for D-1 & 2.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **23.08.2018**

The learned Joint Registrar vide order dated 16th August, 2018 had closed the right of defendant no.3 to file the written statement. Even today none is present for defendant no.3. Consequently, the defendant no.3 is proceeded *ex parte*.

It is pertinent to mention that the present suit has been filed for declaration, partition, rendition of accounts and permanent injunction. While plaintiff and defendant no.1 are brother and sister, defendant no.2 is the mother and first wife of deceased father of the plaintiff late Sh.Om Prakash Kataria. Defendant no.3 is the brother of deceased second wife of late Sh.Om Prakash Kataria.

Today learned counsel for the plaintiff and defendant nos.1 & 2 state that there is no *inter se* dispute between the said parties and they have no objection if the present suit is decreed in accordance with

prayers (a) and (c) of the present plaint and the plaintiff and defendant nos.1 & 2 are declared co-owners of $1/3^{\text{rd}}$ share each in all the suit properties and a decree of final partition is also passed in terms thereof.

Consequently, the present suit is decreed in accordance with the prayers (a) and (c) of the present plaint. Registry is directed to prepare a decree sheet including a decree of final partition.

MANMOHAN, J

AUGUST 23, 2018
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