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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS (OS) 163/2014, I.As. 1042/2014, 18839/2015 & 5647/2017**

DEEPANSHU TANDON AND ANOTHER Plaintiffs
Through: Mr. Vineet Chadha, Advocate
(M:9810139678) with Plaintiffs in
person.

versus

PRADEEP TANDON AND ANOTHER Defendants
Through: Mr. Anil Kathuria, Advocate
(M:9811426851) with Defendants in
person.

CORAM:
JUSTICE PRATHIBA M. SINGH

ORDER
% **12.09.2018**

Vide order dated 30th November, 2017, a preliminary decree was passed defining the share of the Plaintiffs together as ½ and the Defendants together as ½ share in both the properties namely-

- 1) Property bearing No.WZ-241 (GA-11), Hari Nagar, G Block, Jail Road, New Delhi-110058 ad-measuring about 200 square yards (*'Hari Nagar property'*)
- 2) Property bearing No.XVI/6480, Block No. 8, Gall No. 4, Dev Nagar, Karol Bagh, New Delhi-110005 ad-measuring about 82 square yards (*'Karol Bagh property'*)

The parties could not arrive at a settlement as to the manner of division of properties. Accordingly, a Local Commissioner was appointed. The Local Commissioner, has submitted his report dated 26th August, 2018. Copy of the said report was supplied to both the parties.

Today, the Plaintiffs and the Defendants are present in person and after hearing some submissions, they have agreed to the division of the properties in the following manner :

- 1) Hari Nagar property shall be retained exclusively by the Defendants and the Defendants shall be the exclusive owners of the Hari Nagar property and in order to acquire the said ownership, they undertake to pay a sum of Rs.40 Lakhs to the Plaintiffs on or before 10th December, 2018. Upon the said payment being made, the Defendants namely Mr. Pradeep Tandon and Mr. Kumud Tandon shall be the exclusive owners of the Hari Nagar property.
- 2) The Plaintiffs - Mr. Deepanshu Tandon and Mr. Dushyant Tandon shall henceforth be the exclusive owners of the Karol Bagh property. The Defendants give up all their rights, title and interest in the said property.
- 3) Both the parties would be permitted to get the requisite documentation executed from the DDA and other authorities exclusively in their names. All the parties will co-operate with each other for conversion from leasehold to freehold and for executing any documents that may be required for ensuring that the properties are transferred by the authorities in their respective names. The Plaintiffs and Defendants shall be respectively liable for making payments of any dues, charges etc., in respect of the Karol Bagh and Harinagar properties.
- 4) The filing of applications before the DDA etc. for mutation, conversion as also execution of conveyance deed etc., for both properties shall commence after payment of Rs.40 Lakhs has been made by the Defendants to the Plaintiffs on or before 10th December, 2018.
- 5) The Defendants are, however, permitted to raise loan from any bank/financial institution to the extent of Rs.40 Lakhs, on the strength of the present order in respect of the Harinagar property.

Statements of all the parties has been recorded in the Court. The suit is disposed of as settled under Order 23 Rule 3 CPC. The settlement terms contained above shall form part of the decree. All pending IAs are disposed of.

PRATHIBA M. SINGH, J.

SEPTEMBER 12, 2018/dk