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

+ **CS(OS) 3585/2014**

PARMOD KUMAR TALWAR Plaintiff
Through: Mr. Subhash C. Jindal, Advocate.
(M:9811007350)

versus

VIJAY KUMAR TALWAR & OTHERS Defendants
Through: Mr. Deepak Kumar Sharma and Mr.
Ashish, Advocates for D-1.
(M:9999025271)
Mr. U. Haider and Mr. Sonit Sinhmar,
Advocates for D-2&4.
(M:9810078786)
Ms. Gemini Sharma and Mr. Dhruv
Sharma, Advocate for D-3.
(M:9810090734)
Mr. Lalit Pachauri (Enrolment No.
D/52/2010), Tenant. (M:9811135503)

CORAM:
JUSTICE PRATHIBA M. SINGH

ORDER
% **21.12.2018**

1. Mr. Lalit Pachauri – the tenant, who is a practising lawyer has appeared. He has assured the Court that he is willing to vacate the suit property by 31st December, 2018. Accepting his statement, it is directed that Mr. Lalit Pachauri would handover vacant and peaceful possession of the suit property to Defendant No.1, Mr. Vijay Kumar Talwar on or before 31st December 2018.
2. The statement of the Plaintiff and the remaining Defendants have

been recorded today including the tenant, Mr. Lalit Pachauri. The parties have arrived at a settlement on the following terms and conditions: -

- (i) The parties agree that each of the siblings have 1/5th share in the suit property bearing No.A-61, Ground Floor, Nirman Vihar, Delhi-110092.
 - (ii) If the physical partition of the suit property is not possible, parties agree to jointly sell the property and distribute the sale proceeds in 1/5th share each.
 - (iii) The above sale process shall be completed by the parties within a period of 6 months i.e. by 30th June, 2019, failing which, the property shall be put to auction.
3. The statement of Mr. Anand Kumar Talwar was recorded on the last date. Today, the statements of the Plaintiff's wife, Defendant No.2 and counsels for Defendant No.1 and 3 as also the tenant have been recorded.
4. If the parties need the assistance of the Court Auctioneer, in case the property is not sold by them, either of the parties is permitted to move an application to the Court seeking appointment of a Court Auctioneer.
5. The suit is decreed in terms of the settlement as contained above.

PRATHIBA M. SINGH, J.

DECEMBER 21, 2018

Rekha