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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ CS(OS) 584/2017  
SANJAY GUPTA ..... Plaintiff  
Through : Ms. Vandana Bhardwaj, Adv.

versus

BHIM SAIN GUPTA & ORS ..... Defendant  
Through : Mr. Dinesh Garg, Adv.

**CORAM:**  
**HON'BLE MR. JUSTICE VALMIKI J. MEHTA**

**ORDER**  
% **19.01.2018**

**I.A 898/2018 (u/O 23 R 3 CPC)**

1. This is a joint application under Order 23 Rule 3 CPC. By this application, parties seek to get rights of the parties declared in terms of the Memorandum of Family Settlement dated 17.02.2017 to which annexed is a site plan demarcating the portions in the suit property of the plaintiff and the defendants. The property which has fallen to the share of the plaintiff is demarcated in red and that falling to the defendant has been demarcated in green.

2. Accordingly, this suit is disposed of by declaring the rights of the parties in the suit property in terms of the site plan annexed to the Memorandum of Family Settlement dated 17.02.2017 and especially,

as those stated in paragraph 3 of the present application. The suit is accordingly disposed of leaving the parties to bear their own costs and the terms as stated in paragraph 3 of this application along with the plan attached to Memorandum of Family Settlement dated 17.02.2017 will form a decree between the parties.

**VALMIKI J. MEHTA, J**

**JANUARY 19, 2018**

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