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

+ RFA 731/2010

BRIG SARDAR DEVINDER SINGH AND ORS. Appellants
Through: Mr. Abhimanyu Redhu (Mobile
No.8377839969).

versus

SMT. SATBIR KAUR Respondent
Through: Mr. Dinesh Kumar Gupta and Mr.
Vidit Gupta, Advocates (Mobile No.
9910995511).

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **21.02.2019**

1. After arguments, this appeal is disposed of by a consent order that the impugned judgment of the Trial Court dated 3.8.2010 will stand modified in that the respondent no.1/plaintiff will not get 25% but will get 15% in the properties bearing no. 10099 to 10104, Pul Bangash, Azad Market, Delhi-110006. Respondent no.1/plaintiff does not claim any right in the partnership firm business of M/s Dalip Singh and Sons, and which was the partnership firm business of Arms and Ammunitions. Entitlement to 15% share will be the 15% share in the existing properties as also 15% share towards the entitlement of the respondent no.1/plaintiff in the net income

from the Pul Bangash properties. So far as entitlement to 15% net income is concerned, this aspect will be decided in terms of the rendition of accounts to be made for the final decree proceedings. If any amounts have already been paid by the appellants/defendants to the respondent no.1/plaintiff in terms of the impugned judgment and decree, or in any other manner towards the claim of monies of the respondent no.1/plaintiff with respect to 15% share in the suit property, then such amounts will be adjusted in favour of the appellants/defendants and against the respondent no.1/plaintiff when the final decree for rendition of accounts is passed.

2. This appeal is accordingly disposed of and now the parties will appear before the trial court on 25.3.2019, the date already fixed before the trial court, and wherein proceedings for passing of a final decree are going on.

3. Trial court record be sent back so as to be available to the concerned trial court on the next date fixed.

VALMIKI J. MEHTA, J

FEBRUARY 21, 2019

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