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

+ **CS(OS) 281/2019 & IA No.7797/2019 (u/O XXXIX R-1&2 CPC)**

ROHIT SACHDEVA

..... Plaintiff

Through: Mr. Fanish K. Jain and Mr. Neeraj
Dahiya, Advs.

Versus

DINESH KUMAR SACHDEVA & ANR.

..... Defendants

Through: Mr. Vikas Arora and Ms. Radhika
Arora, Advs. for D-1.
Mr. Vikas Bapurao, Adv. for D-2.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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06.02.2020

1. The counsel for the plaintiff states that no possibility of partition by metes and bounds has emerged since the last order.
2. The counsel for the defendant No.1 and the counsel for defendant No.2 also agree but the counsel for the defendant No.1 states that yet another opportunity to amicably arrive at a solution be granted.
3. Opportunity having already been granted, need to give another opportunity is not felt.
4. The parties can always, post the final decree for partition also, arrive at an amicable settlement and take appropriate steps with respect thereto.
5. A final decree for partition of, (i) house no.H-93/1 constructed over land *ad measuring* 146 sq. yds., Shivaji Park, Punjabi Park West, New

Delhi; (ii) sites bearing no.89 and 90, part of Village Panchayath Katha No.198, Property No.198 formed in converted Residential Purpose Survey No.44 of Rayasandra Village, Kasaba Hobli, Devanahalli Taluk, Bangalore Rural District, measuring both sites are 4801 sq. ft. i.e. land measuring 30 guntas; and, (iii) Toyota Corolla Altis car bearing Registration No.DL10CT 5790 registered with Registration Authority, Janak Puri, New Delhi, is thus passed, of sale thereof and of distribution of sale proceeds between the parties in accordance with the shares declared in the preliminary decree for partition dated 9th January, 2020. However, before the properties are sold to outsiders, the parties shall be entitled to make inter se bids, with the party/ies making the highest bid acquiring the share/s of other/s against payment of consideration, delivery of vacant peaceful physical possession and execution of requisite documents.

6. Final decree for partition be drawn up.

7. The stamp duty on the final decree for partition to be borne by the parties in proportion to the shares declared in the preliminary decree for partition.

8. On request, the parties to appear before the Mediation Cell of this Court on 13th February, 2020 at 1415 hours.

RAJIV SAHAI ENDLAW, J.

FEBRUARY 06, 2020

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