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

% *Date of decision: 07th November, 2023*

+ **CS(OS) 648/2018 & I.As. 17492/2018, 11024/2019**

KULWANT KAUR Plaintiff

Through: Mr. Bhavneet Singh & Mr. Gurpreet
Singh, Advocates.

versus

TRILOCHAN SINGH & ORS. Defendants

Through: Mr. Atul Agarwal & Ms. Sushalini
Sethi, Advocates for D-2 & 3.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T (oral)

1. The present Suit for Partition, Permanent and Mandatory Injunction has been filed on behalf of the plaintiff in respect of the built-up property bearing House No. 13. Road No. 25, East Punjabi Bagh, New Delhi-110026 admeasuring 272.91 sq. yards and suit property bearing No. A/4, Anand Prabhat, New Rohtak Road, New Delhi.
2. It is submitted that the Preliminary Decree in respect of the built-up property bearing House No. 13. Road No. 25, East Punjabi Bagh, New Delhi-110026 admeasuring 272.91 sq. yards has already been passed *vide* Order dated 27.02.2019 defining the shares of the plaintiff, defendant Nos. 1 to 3 individually as well as of defendant Nos. 4 to 7 collectively as 1/5th share each.
3. It is also submitted that the Preliminary Decree in respect of the



property bearing No. A/4, Anand Prabhat, New Rohtak Road, New Delhi has already been passed *vide* Order dated 20.01.2019 defining the shares of the plaintiff, defendant Nos. 1 to 3 individually as well as of defendant Nos. 4 to 7 collectively as 1/5th share each.

4. It is further submitted by learned counsels for the parties that the two aforesaid properties cannot be divided by metes and bounds and have to be necessarily sold for equitable distribution.

5. In view of the submissions made, the Final Decree in respect of aforesaid two properties are hereby passed declaring the plaintiff, defendant Nos. 1 to 3 individually and defendant Nos. 4 to 7 together are entitled to 1/5th share in the two aforesaid properties.

6. The Decree Sheet be drawn accordingly.

7. Accordingly, the pending applications are disposed of.

(NEENA BANSAL KRISHNA)
JUDGE

NOVEMBER 07, 2023

S.Sharma