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

+ **CS(OS) 446/2023**

MRIDULA GROVER

.....Plaintiff

Through: **Mr. Bhagat Singh, Advocate**

versus

SUSHMA AHUJA & ORS.

.....Defendants

Through: **Mr Ankit Virmani and Mr. Hrithik
Sharma, Advocates for D-1**

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **22.10.2024**

I.A. 42951/2024 (under Section 151 of CPC, 1908)

1. This is an application under Section 151 of the Code of Civil Procedure, 1908 filed by defendant no. 1 for recording the payments made by defendant no. 1 in compliance with the final order dated 25.04.2024.
2. It is stated in the application that the payments of Rs. 13.50 crores have been made over to the plaintiff as set out in paragraph 2(a), (b) and (c) of this application.
3. Learned counsel for the non-applicant/plaintiff accepts notice. He confirms the receipt of sum of Rs. 13.50 crores by the plaintiff from the defendant.
4. Learned counsel for the applicant/defendant no. 1 states that at prayer clause 'c', the defendant seeks production from the plaintiff of the original building plans of the property bearing No. 6/1, Shanti Niketan, New Delhi-110021. He states that the prayer clause 'c', which make reference to any



other original documents is superfluous and may be ignored.

5. In response, learned counsel for the plaintiff states that the plaintiff does not have in her possession the original building plans of the property bearing No. 6/1, Shanti Niketan, New Delhi-11002 and she will file her affidavit to this effect within a period of four (4) weeks. It is ordered accordingly. With this direction, prayer clause 'c' stands satisfied.

6. In view of the averments made in this application and its confirmation by the plaintiff, the fact of the full payment of Rs. 13.5 crores by defendant no. 1 to the plaintiff in satisfaction of the final order dated 25.04.2024 is hereby taken on record and prayer clause 'a' stands satisfied.

7. The relief of declaration sought by defendant no. 1 in the prayer clause 'b' is a mere reiteration of the declaration already granted by the Court in the final order dated 25.04.2024. It needs no reiteration that defendant no. 1 is the sole and exclusive owner of the property No. 6/1, Shanti Niketan, New Delhi-110021 and that the plaintiff has no right over the said property. The prayer clause 'b' is disposed of with the aforesaid observations.

8. With the aforesaid directions and observations, the application stands disposed of.

I.A. 42950/2024 (under Section 151 of CPC, 1908)

9. This is an application filed by defendant no. 1 seeking a direction to the plaintiff to deposit payment of stamp duty to the extent of Rs. 15.50 lakhs being her 50% share towards the stamp duty.

10. Learned counsel for defendant no. 1 states that defendant no. 1 has already deposited her share of Rs. 15.50 lakhs before the Registry of this Court. He states that the court fee of Rs. 31 lakhs calculated by the Registry



includes the value of the property being vacant plot no. 952, Block No. C-2, at Palam Vihar, Gurugram which has fallen to the share of the plaintiff herein.

11. Issue notice.

12. Learned counsel for the plaintiff accepts notice and states that he would like to address submissions on the relief sought in the application.

13. Reply, if any, be filed by the plaintiff within a period of four (4) weeks.

14. In the meantime, the non-applicant/plaintiff is hereby directed to deposit an amount of Rs. 15.50 lakhs with the Registry. The directions for utilisation of the said amount will be passed after the disposal of the said application.

15. List on **21.01.2025**.

MANMEET PRITAM SINGH ARORA, J
OCTOBER 22, 2024/rhc/MG

Click here to check corrigendum, if any