

deed executed by defendant no. 1 in favour of defendant nos. 3 and 4 are declared that it would not be binding upon plaintiff nos. 2 and 3. She points out that there is no declaration granted regarding the sale deed in favour of defendant no. 2. She further points out that defendant no. 1 is granted one-fourth share in the suit property. She further submits that the property subject matter of sale deed in her favour was not the subject matter of the suit, however by order dated 18th July 2006 the suit property subject matter of the sale deed in favour of the petitioner was included in the description of the suit property. The property subject matter of the petitioner's sale deed is CTS No. 1900/2.

3. In view of these facts, the learned counsel for the petitioner submits that even if the partition decree has attained finality, the petitioner would be entitled to protect the property which is the subject matter of the sale in favour of the petitioner as there was no declaration at the time of passing partition decree. She therefore submits that the one-fourth share granted to defendant no. 1 can be adjusted towards the area of the sale deed of the petitioner.

4. Learned counsel for the petitioner on instructions

submits that though there was no declaration as regards property subject matter of the petitioner's sale deed, only to put an end to the entire dispute, the petitioner is ready to amicably settle the dispute by making payment towards defendant no.1's one-fourth share which is granted by the decree in execution.

5. Learned counsel appearing for the heirs and legal representatives of the original plaintiff and heirs of defendant no. 1 seeks time to take instructions as to whether the original plaintiff and defendant no. 1 would be agreeable to put an end to the entire dispute by amicably resolving the dispute with the petitioner.

6. List the petition on 19th August 2025. To be listed under the caption for "Directions".

7. Till further orders are passed in this petition the possession warrant, if any, issued in respect of the petitioner's property shall not be executed.

[GAURI GODSE, J.]