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

I.A. 8658/2025

IN

+ CS(OS) 700/2022

SEEMA DAYAL & ORS.

.....Plaintiffs

Through: Mr. Siddhant Nath and Mr. Siddhant
Asthana, Advocates.

versus

MALA MATHUR & ANR.

.....Defendants

Through: Mr. Raghav Narayan and Ms. Pallavi
Dubey, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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18.09.2025

I.A. 8658/2025 (u/S 3 of the Partition Act, 1893)

1. Attention of the Court has been drawn to the order passed by the predecessor Bench on 23rd April, 2025, which is set out below:-

“1. Learned senior counsel for the plaintiffs confirm that defendant no. 1 has duly paid over 10% advance amount, to each of the plaintiffs.

2. Plaintiffs and defendant no. 1 jointly request that the matter to be fixed after August, 2025 so as to enable the parties to conclude the execution of the sale deed.

3. It is further stated that plaintiffs and defendant no. 1 have filed affidavits confirming their acceptance of the terms and conditions recorded in the order dated 16.04.2025.”

2. Counsel for the parties submit that a sale deed has now been executed between the parties, in terms of which, the defendant no.1 has purchased the

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share of the plaintiffs in the suit property.

3. Needless to state, the parties will comply with the requirements/formalities under the Income Tax Act, 1961.

4. Accordingly, the application has become infructuous and the same is disposed of as such.

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5. In view of the order passed above, the present suit stands disposed of.

6. Since the matter has been settled at initial stage, the Registry is directed to issue a certificate of refund of 50% of the Court Fees in favour of the plaintiff, in terms of Section 16A of the Court Fees Act, 1870.

AMIT BANSAL, J

SEPTEMBER 18, 2025

Vivek/-