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

+ **EFA(OS) 14/2025**

DINESH KUMAR SACHDEVAAppellant

Through: Mr. Bishwajit Dubey,
Ms. Radhika Bishwajit Dubey,
Ms. Gurleen Kaur Waraich, Mr.
Kritarth Upadhyay, Mr. Vivek
Sharma, Mr. Saksham Sharma
& Mr. Mathy Kutty, Advocates

versus

SH ROHIT SACHDEVA & ANR.Respondents

Through: Mr. Fanish K. Jain, Advocate
with R-1 in person

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

ORDER

% **15.09.2025**

CM APPL. 58401/2025 (For Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

EFA(OS) 14/2025 & CM APPL. 58400/2025 (Stay)

1. The present Appeal, under Order XXI Rule 58 of the Code of Civil Procedure, 1908, read with Section 10 of the Delhi High Court Act, 1966, assails the Order dated 01.08.2025 in EX.P. 5/2024 and Order dated 01.09.2025 in Review Pet. 459/2025 passed by the learned Single Judge of this Court.
2. The parties herein are two brothers and one sister, who are joint owners of property in equal shares. A preliminary decree for partition



was passed on 16.05.2019, wherein the parties also agreed to *inter se* bidding to sell the property because it was not possible to physically partition the suit property. Thereafter, the learned Single Judge appointed a Local Commissioner [“LC”] to conduct the *inter se* bidding on 08.04.2024. Subsequent thereto, the LC granted repeated opportunities to the Appellant to put forward his bid; however, the Appellant herein failed to do the same. Ultimately, the offer made by Mr. Rohit Sachdeva and Mrs. Payal Sachdeva, the Respondent No.1 and Respondent No.2 herein, respectively, for purchasing the property at Rs. 4.05 crores was accepted. Learned Single Judge accordingly passed an Order on 01.08.2025. Review Petition filed by the Appellant was dismissed *vide* Order dated 01.09.2025.

3. During the course of hearing in the present Appeal before this Bench, the Appellant came up with an offer of Rs.6.25 crores, which was matched by the Respondents, who are owners of 2/3rd shares.

4. Accordingly, with the consent of the learned counsel for the parties who had made statements on instructions of their respective clients, it is ordered that the Respondents will pay the share of the Appellant within a period of eight weeks after adjusting the amount of Rs.1.35 crores, which has already been deposited before the learned Registrar General of this Court.

5. At this stage, learned counsel for the Appellant submits that he is withdrawing his consent. It is evident that the Appellant is playing hide and seek with the Court. He has already enjoyed continued possession of the property from the year 2019. The LC granted him repeated opportunities spread over a period of eight months to offer his bid. The Court even permitted the Appellant to participate through video conferencing in order to give his bid.



6. Keeping in view the aforesaid facts, the Appeal is disposed of while directing the Respondents to pay the remaining amount towards the share of the Appellant, after adjusting Rs.1.35 crores, which has already been deposited to the Appellant, with the learned Registrar General of this Court within eight weeks from today. The Appellant shall deliver the possession of the property to the Respondents the moment the remaining amount is deposited by the Respondents. It is made clear that the Appellant shall not create any third party rights or deliver possession of the property in favour of anyone else.

7. With these observations, the present Appeal, along with pending application(s), if any, stand disposed of.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.
SEPTEMBER 15, 2025/rk/va/her