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

+ **CS(OS) 870/2024 and I.A. 43605/2024**

RANVIR SINGH TOMAR & ORS.

.....Plaintiffs

Through: Mr. Arun Mahajan, Mr. Dhruv Chawla and Mr. Vaibhav Chawla, Advs.

versus

JYOTSANA TOMAR

.....Defendant

Through: Ms. Rajshree Singh and Mr. Akhil Gosain, Advs.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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22.05.2026

1. The preliminary decree of partition was passed by this Court *vide* judgment dated 25.03.2026 declaring that all the parties to the suit will have one-fourth share each in the suit property.
2. Further, *vide* the same order, learned Local Commissioner was appointed to ascertain as to whether the suit property can be divided by metes and bounds.
3. The learned Local Commissioner has submitted her report dated 14.05.2026 wherein she has stated that the suit property cannot be divided by metes and bounds. Learned counsels appearing on behalf of the parties also affirm the said position.
4. Since the suit property is not amenable to partition by metes and bound, therefore, the only option left is to pass the final decree of partition



by sale.

5. Accordingly, the final decree of partition by sale of the suit property bearing no.A-247, Surajmal Vihar, Delhi-110092 and distribution of the sale proceeds thereof in accordance with the shares declared in the preliminary decree as aforesaid, is passed. The decree sheet be drawn accordingly.

6. At this stage, learned counsels for the parties submit that liberty may be granted to them to sell the property jointly by private sale. Ordered accordingly.

7. If there is no consensus arrived at between the parties within a period of four months, the parties shall be at liberty to get the decree executed.

8. The suit, along with pending application, is disposed of.

VIKAS MAHAJAN, J

MAY 22, 2026

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