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

+ **CS(OS) 3541/2014**

MANJU GOEL & ORS

.....Plaintiffs

Through: Ms. Nandni Sahni, Adv.

versus

ASHISH JAIN

.....Defendant

Through: Ms. Manvi Rajvanshy, Ms. Tripta Choudhary and Mr. Vikas Sharma, Adv.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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20.03.2026

1. Ms. Nandni Sahni, learned counsel appearing on behalf of plaintiff invites attention of the Court to the order dated 27.08.2025 to submit that preliminary decree has already been passed holding plaintiff nos.1 and 2 to be entitled for 30% each in the suit property whereas plaintiff no.3 has been held to be entitled to 20% and the defendant nos.1 and 2 are entitled to 20% jointly.
2. She submits that the Local Commissioner who was appointed by this Court initially *vide* order dated 06.03.2019 had given his report dated 31.10.2025 to the effect that the suit property is incapable of division by metes and bounds.
3. The learned counsels for the parties are also *ad idem* that the property cannot be partitioned by metes and bounds.
4. In view of the above, final decree for partition of sale of the suit property and distribution of sale proceeds in accordance with the shares



declared in the preliminary decree as aforesaid, is passed.

5. The parties are also at liberty to buy out the share of other party in the *inter se* bidding. In case the same does not happen within three months, any party to the suit shall be at liberty to get the decree executed.

6. Let final decree be passed in the above terms. The decree sheet be drawn accordingly.

7. Ms. Manvi Rajvanshy, learned counsel appearing on behalf of defendant submits that as and when the property is either sold in execution or the same is purchased by the plaintiffs in the *inter se* bidding, the defendant shall hand over the vacant peaceful possession of the suit property to the purchaser or the plaintiff, as the case may be.

8. She further submits that the direction given by the Court *vide* order dated 27.08.2025, particularly in para 7 thereof, shall be complied with within a period of six weeks. The statement of Ms. Rajvanshy is taken on record and the defendant is bound down to the same.

9. The suit stands disposed of.

VIKAS MAHAJAN, J

MARCH 20, 2026
N.S. ASWAL