

23.11.2024

Present: Sh. Ayush Chauhan, Ld. Counsel for plaintiff a/w plaintiff no.2A in person.
Ms. Ashna Arora, Ld. Counsel for defendant no.1C(a) to 1C(d) (through VC).
Sh. Srivats Kaushal, Ld. Counsel for defendant nos. 2(a), 2(b), 3(b) & 3(c).
Sh. S.S. Jain and Ms. Veena Rupana, Ld. Counsels for defendant no.10.
Sh Mayank Bansal, Ld. Counsel for LR of defendant no.11.

It is submitted by Ld. Counsel for plaintiff, Ld. Counsel for defendant nos. 2 & 3 and Ld. Counsel for defendant nos. 10 and 11 that in the present suit, partition is required to be effected with respect to only the built up portion of the property. It is further submitted that on the ground floor, there are seven shops, out of the said seven shops, shop no.F-7 has been sold by all the parties. It is further submitted that out of the remaining six shops, one shop is in the possession of tenant in which all the parties to the present suit have an interest as per preliminary decree.

It is further submitted that the remaining five shops have been sold by all the parties except defendant nos. 10 & 11 and defendant nos. 10 & 11 have 1/12th share each in the said five shops. It is further submitted by the parties that the entire first floor and barsaati build up property remains unsold in which all the parties have their shares as per preliminary decree. It is further submitted by the parties that the unbuilt portion of the suit property, is under litigation with M/s. Dalmia and the matter continues to remain subjudice before the Hon'ble High Court of Delhi.

All the parties are directed to apprise the best recourse available to them to partition the suit property as per the shares determined in terms of the preliminary decree passed in the year 1980.

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List for further proceedings on **03.12.2024 at 2:00 PM.**

The parties are directed to apprise the status of service of the notices directed to be issued on the last date of hearing after inspecting the court file.

Sachin Sood
DJ-01, Central, THC
23.11.2024