

SUBHASH CHANDER BHATIA Vs. SMT. NEELAM BHATIA ETC.

02.08.2025

Present: Mr. J.M. Mittal, Ld. Counsel for the plaintiff alongwith plaintiff in person.

Mr. Naman Joshi, Ld. Counsel for the defendants no.1 to 4 through VC.

Mr. Imon Bhattacharya, Ld. Counsel for the defendant no.5.

Mr. Ritwik Shukla, Ld. Counsel for the defendant no.6 & 7.

Ld. Counsels for defendants no.1 to 4 and 6 & 7 submit that they have filed objections to the report of the Local Commissioner.

Vakalatnama is filed by Ld. Counsel for the defendant no.5.

He submits that copy of objections to report of the Local Commissioner have been received only yesterday. He seeks time to file reply to it.

It is submitted by Ld. Counsel for plaintiff that the present case is a suit for partition of a residential property bearing no.232, New Layalpur Colony, Chander Nagar, Delhi-110051 in which construction is only of ground and first floors.

It is jointly submitted by Ld. Counsels for the parties that as per the preliminary decree, the property in question is to be divided into four parts.

Record is perused.

It is doubtful if there can be different owners of different parts of the flats.

It needs to be examined if it is permissible as per the municipal rules to divide the said residential property which comprises only of two floors separately into four parts.

Issue notice to the Commissioner, East Delhi Municipal Corporation with direction to submit report if it is permissible as per the Municipal Byelaws and Rules to divide property bearing No.232, New Layalpur Colony, Chander Nagar, Delhi-110051 into four parts.

Copy of this order be sent alongwith the notice.

To come up on 20.09.2025.

(Shirish Aggarwal)
District Judge-03
East District, KKD Courts,
Delhi, 02.08.2025