

RATTAN PARKASH BHALLA Vs. JASWANT RAI BHALLA

29.08.2025

Present: Sh. Mohit Gupta, ld. counsel for the plaintiff
Sh. Ishwar Singh ld. counsel for defendant no. 2B
Sh. Anup Kundra, D2A in person.

As per judgment of Hon'ble High Court of Delhi passed in a case titled Indu Singh & Anr. Vs Prem Choudhary & Anr, O. REF.2/2018 in CS (OS) 1098/2005, the sale order passed by the court in partition suit for the sale of suit property is a final decree and all the proceedings towards the sale of the property which is subject matter of final decree of partition have to take place in execution proceedings of the final decree and the order of sale in a partition suit is an instrument of partition and requires to be stamped in accordance with Article 45 of Schedule thereof III.

Ld. counsel for the parties seek one adjournment for apprising this court upon the above said judgment of Hon'ble High court of Delhi as to whether auction of the suit property can be done in the present matter or not. Further whether they are liable to pay stamp duty for sale of the suit property.

Put up for further proceedings on 31.10.2025.

(SHIV KUMAR)

DJ-02 (W)THC:Delhi
29.08.2025