

Present: Sh. Ashok Kadian, Advocate for applicant.
Sh. Shiv Sharma, counsel for respondent No.1.
Respondent No. 2 already exparte.

Today, the case was fixed for consideration on passing of final decree. In the present case, the Local Commissioner was appointed by Ld. Predecessor of the Court and the report regarding the partition of suit property was furnished. As per the report, three proposed modes of partition were suggested by the Local Commissioner. The second mode of partition is accepted by the parties who are present in the Court today. As per the second mode of partition, land shown as ABEF is admitted to have come in the hands of Pawan Kumar, whereas, land marked as BCDE has fallen in the share/hands of Tilak Raj Malhotra. Statement of parties to that effect recorded separately.

This Court is of the considered view that there is no dispute between the parties regarding the mode of partition and the second mode of partition would be the best suitable to the parties, *especially*, when they have given consent to the same. Resultantly, final decree of partition is passed as per Site Plan Ex. A1 already placed on record. Statement of parties as well as Site Plan Ex. A1 be deemed to be part of decree-sheet. Decree-sheet be prepared accordingly. Parties are directed to take separate possession of their portions within a period of two months from the date of passing of final decree. File, after due compliance, be consigned to record-room.

Madhur Bajaj
CJ(JD)/JMFC/RC
UID No. HR0373
Rohtak, 29.07.2022