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

+ RFA 226/2026, CM APPL. 15354-15356/2026

POOJA SHARMA AND ORS.

.....Appellants

Through: Mr. Satyajit Kumar Singh and
Mr. Sorabh Kumar, Advs.

versus

SARITA ARORA

.....Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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13.03.2026

1. Appeal under Section 96 read with Section XLI of CPC has been filed on behalf of the Appellants against impugned Judgment and Final Decree dated 20.11.2025 passed by learned DJ-12, Central District, Tis Hazari Courts, Delhi in CS DJ No.1028/2021.
2. It is submitted that Preliminary Decree was passed on 24.07.2023, declaring the share of the Appellants together and of the Respondent as 50% (both parties are entitled to 50% of the share) in the subject property bearing No.168, Block-E, Municipal No.6871, Kamla Nagar, Delhi, admeasuring 153 sq. yards. This Preliminary Decree has not been challenged.
3. In the **Final Decree**, learned District Judge has noted that considering the size and nature of the property, it cannot be divided by metes and bounds and despite several efforts, parties are not willing to sell or buy their respective shares. Consequently, Suit property was directed to be put on sale and the sale proceeds be divided amongst the parties, as per their shares determined by Preliminary Decree dated 24.07.2023.



4. Learned counsel for the Appellants states that in fact, the Appellants had entered into Agreement with the Respondent, whereby Respondent had agreed to sell her share to the Appellants, but now she is not willing to come forth. In case the Appellants have any Agreement to Sell or arrangement for the Respondent, the same should have been agitated this in their defence. In any case, they are at liberty to seek appropriate remedy, in accordance with law.

5. There is no merit in the present Appeal, which is hereby, dismissed along with pending Application.

NEENA BANSAL KRISHNA, J.

MARCH 13, 2026/R