



\$~5

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

+ **RFA(OS) 41/2025 & CM APPL. 43682/2025**

SANJEEV SONI AND ANR

.....Appellants

Through: J.K. Bhola, Mr. Mandeep Singh, Ms. Srishti Jain, Mr. Divyansh Verma, Ms. Muskan Bhola and Mr. Rishabh Soni, Advs. with Appellants in person

versus

KAMLA KAPUR AND ORS

.....Respondents

Through: Mr. Y.R. Sharma, Adv. for R-1,7,8,13 to 15
Mr. Shiven Kumar, Adv. for R-2 (a) and 2(b)
Mr. Thakur Sumit, Adv. for R-3 and R-4
Respondent No.5 in person
Mr. Nishit K Lush, Mr. Siddharath Sikri and Ms. Kirti Singh, Advs. for R-6

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

ORDER

11.08.2025

%

1. The present Appeal has been preferred under Section 96 of the Code of Civil Procedure, 1908 read with Order XLI, Rule 33 and Section 10 of the Delhi High Court Rules, 2018, against the impugned Judgment/final Decree of partition dated 13.05.2025 passed by the learned Single Judge of this Court in CS(OS) 606/2021 captioned **Shri Sanjeev Soni and Anr. Vs. Smt. Kamla Kapur & Ors.**

2. Learned counsel representing the parties have been heard at



sufficient length.

3. The dispute is with regard to partition of a immovable/residential property being House No. 33, Bungalow Road, Kamla Nagar, Northern City, Extension Scheme No.1, Delhi-110007 ad-measuring 635.5 Sq.Yards, which is in an irregular triangular shape.

4. As per the impugned Order passed by the learned Single Judge, a direction had been issued to prepare a final decree for partition. Further, it has been directed that the property be put to auction, in order to apportion respective shares of 18 co-sharers.

5. The Registry is in the process of preparing the final decree as stamp duty is yet to be paid.

6. *Prima facie*, the present Appeal is not maintainable in absence of copy of a decree sheet. However, the learned counsel representing the Appellant prays for and is granted an adjournment to assist the Court on the question of maintainability.

7. In the meantime, the parties are requested to put forth a practical solution acceptable to all the co-sharers and steps for its implementation.

8. List for final hearing on 13.08.2025.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.
AUGUST 11, 2025/sp/er