



\$~54

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

+ EX.P. 88/2023

SH NARENDER NATH SETH AND ORSDecree Holders
Through: Mr. S. C. Singhal and Mr. Saideep
Kaushik, Advocates

versus

MRS LATA SETH AND ORSJudgement Debtors
Through: Mr. Siddharth Yadav, Sr. Advocate
with Mr. Narender Lodiwal,
Advocates for JD 6(a) to 6(d)

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **30.04.2025**

EX.APPL.(OS) 694/2025 (for seeking permission to sell suit property/shop amongst the parties)

1. This is an application filed by the Judgement Debtor No. 2 seeking directions as set out in prayer clause 'a' and 'b'.
2. Learned counsel for the applicant/Judgement Debtor No. 2 states that he also represents Judgement Debtor Nos. 1, 3, 4 and 5 and they too confirm the submissions recorded in this application.
3. Issue notice. Learned counsel for Judgement Debtor Nos. 6(a) to 6(d) and learned counsel for decree holders accepts notice.
4. Learned senior counsel appearing for Judgement Debtor Nos. 6(a) to 6(d) submits that the said submission recorded in this application have been agreed by the Judgement Debtor Nos. 6(a) to 6(d).

4.1 He states that Judgement Debtor Nos. 6(a) to 6(d) resides abroad and

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 05/05/2025 at 14:49:31



will be coming to India especially to execute the relinquishment/transfer deeds.

4.2 He states that with respect to Shop No. 48, Khursheed Market, Sadar Bazar Delhi-110006 ('Shop No. 48'), it has been agreed that Judgement Debtor Nos. 1, 3, 4 and 5, who are the siblings of Judgement Debtor No. 2 will execute a relinquishment deed in favor of Judgement Debtor No. 2 without consideration.

4.3 He states, however, Decree Holder and Judgement Debtor Nos. 6(a) to 6(d) have agreed to execute the transfer deed of Shop No. 48 upon receiving consideration.

4.4 He further confirms that Judgement Debtor Nos. 6(a) to 6(d) are willing to have their undertakings recorded that in view of the settlement arrived at, with respect to the Shop No.48, they are giving up any claim *qua* the Shop No. 123¹, which has been disposed of by the Decree Holder during the pendency of the proceedings.

4.5 He states vis-a-vis the Shop No. 123, this is also the settlement arrived at by Judgement Debtor Nos. 1 to 5 with the Decree Holder.

5. This Court has considered the submissions of the parties.

6. In view of the facts recorded hereinabove, it is directed that Judgement Debtor Nos. 1 to 5, Judgement Debtor Nos. 6(a) to 6(d) and Decree Holder will appear before the Ld. Joint Registrar for recording the settlement of the inter-se claim *qua* the Shop No. 123 (as set out in paragraph 11 of this application).

7. Moreover, in the facts noted above, it is directed that the relinquishment deed to be executed by Judgement Debtor Nos. 1, 3, 4 and 5

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 05/05/2025 at 14:49:31



shall be separate and distinct from the transfer deed to be executed by the Decree Holder and Judgement Debtor Nos. 6(a) to 6(d).

8. Keeping in view the fact that Judgement Debtor Nos. 6(a) to 6(d) are specifically coming to India for executing the relinquishment deed, the parties are directed to ensure that the relinquishment/transfer deeds are signed, executed and registered on or before 10.05.2025.

9. With the aforesaid directions, the application stands allowed.

10. List the matter before the Ld. Joint Registrar (J) on **02.05.2025**.

[

MANMEET PRITAM SINGH ARORA, J

APRIL 30, 2025/rhc/AM

Click here to check corrigendum, if any

¹ Shop bearing No. 123, Khursheed Market, Sadar Bazar, Delhi.

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 05/05/2025 at 14:49:31