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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 317/2018 I.A. 1420/2019 I.A. 1421/2019 I.A. 1422/2019
I.A. 4467/2019 I.A. 302/2021 I.A. 11439/2021 I.A. 4594/2022
I.A. 35310/2024 I.A. 1040/2025

SMT. MANJU GAINDPlaintiff

Through: Mr. Kunal Tandon, Sr. Adv. with Mr.
Abhay Gaind and Mr. Ajay Gaind,
Advs.

versus

SMT. KAMLA RANI & ORSDefendant

Through: Mr. S.K. Nanda and Mr. Tarun, Advs.
for D-1 to 5.
Mr. Raj Vikram Nath, Mr. Akshat
Choudhary, Mr. Harshvardhan Jha
and Ms. Riyal Suryavanshi,
Advocates, for D-6.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **16.01.2025**
I.A. 1040/2025 (seeking final decree)

1. This application has been filed defendant No.6 under Order XII Rule 6 CPC read with Order XV Rule 1 CPC for passing the final decree of partition against the immovable estate of Late Sh. Krishan Lal and grant all the parties their 1/7th share.
2. Defendant No. 6 effectively supports the plaintiff, and in that context relies upon two sale deeds where defendant Nos. 1 to 5 (*contesting defendants*) had clearly admitted 1/7th share. On this basis, he seeks a decree, on admission, for partition of the 1/7th share of each of the parties.



3. Counsel for defendant Nos.1 to 5 does raise an objection stating that some of the suit properties are in personal ownership of these defendants and, therefore, will not form part and parcel of any division.

4. Accordingly, they accept notice in the said application and shall file a response within the next four weeks with copies to the opposing side; rejoinder, if any, to be filed before the next date of hearing.

I.A. 41515/2024 (for directions)

1. This application has been filed by defendant No.1 seeking directions in respect of property bearing No.2, Motia Khan, Rani Jhansi Road, New Delhi, for further administration/management of the property. *Status quo* with respect this property was directed *vide* order dated 28th August 2018.

2. Issue notice.

3. Counsel for the plaintiff accepts notice, who shall file a response within the next four weeks with copies to the opposing side; rejoinder, if any, to be filed before the next date of hearing.

4. Counsel for the defendant no. 6 also seeks liberty file a reply to the same. Liberty granted.

5. List on 05th May 2025.

6. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JANUARY 16, 2025/MK/sc