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

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CS(OS) 1133/2015

MRS. RENU MATHUR & ANR

Through

..... Plaintiffs

Ms. Archana Sharma, Advocate

versus

MRS. UMA NARULA & ORS.

Through

..... Defendants

Ms. Roopa Paul, Advocate for D-1.

Mr. Praveen Swarup, Advocate for D-2.

Mr. Sunil Chaudhary, Advocate for D-3.

Mr. Bharat Deepak, Advocate for D-5 to D-12. D-8 in person.

**CORAM:**

**HON'BLE MR. JUSTICE MANMOHAN**

**ORDER**

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**11.03.2019**

This Court had passed a preliminary decree defining the share of defendant No. 1, defendant No. 2, plaintiffs No. 1 and 2 cumulatively, legal heirs of defendant No. 3, defendants No. 5 to 8 cumulatively as well as defendants No. 9 to 12 cumulatively as 1/6<sup>th</sup> each in the suit property.

Upon an appeal being filed being RFA (OS) 61/2018, though the Division Bench had issued notice, yet it had made it clear that there was no stay in the matter.



On the last few dates of hearing efforts were being made to amicably resolve the matter. Today, defendant No.8 states that she is being ‘coerced’ to make concessions.

In view of the aforesaid statement of defendant No. 8, this Court is of the opinion that no settlement is possible.

This Court is also of the view that it is not possible to divide the property in question by metes and bounds inasmuch as six shares have to be carved out to a large number of individuals in an old dilapidated property constructed on 237 sq. yds.

Consequently, this Court directs the Joint Registrar to frame the terms of auction and place them before the Court for approval.

List before the Joint Registrar on 18<sup>th</sup> March, 2019.

**MANMOHAN, J**

**MARCH 11, 2019**

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