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

+ EX.P. 453/2014 & EX.APPLs.(OS) 246/2015, 374/2015, 76/2016, 157/2019, 323/2019, 207/2020, 205/2021, 2799/2022, 3040/2022, 3661/2022, 3662/2022, 3673-77/2022.

SATISH KUMAR SETH & ANR ..... Decree Holder

Through: Mr. Ashesh Jain, Ms. Nitika Bhutani, Advocate for DH-2.

versus

LATE JOGINDER KUMAR SETH & ORS ..... Judgement Debtor

Through: Mr. Anil Sharma, Advocate for JD1, 2 and 3.

Ms. Adya Rao, Advocate for JD-5A to 5C.

Mr. Mohit Monga, Advocates for JD-6 and 7.

**CORAM:**

**HON'BLE MR. JUSTICE PRATEEK JALAN**

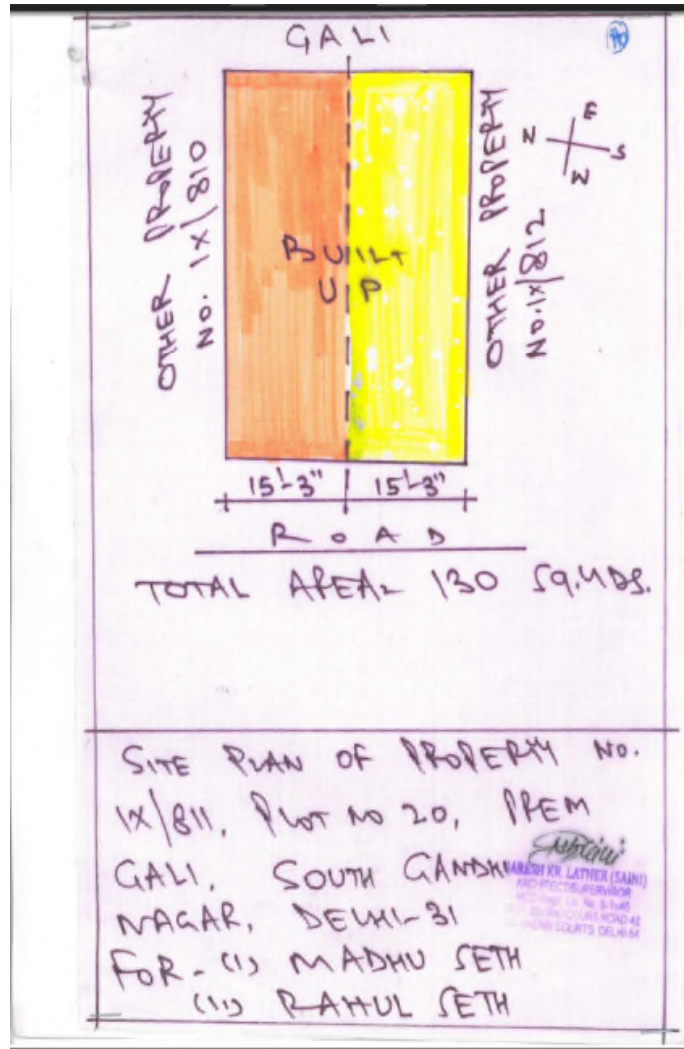
**ORDER**

% **26.02.2024**

**EX.APPL.(OS) 157/2019**

1. Learned counsel for the parties agree that the partition of property No. 811, Prem Gali, 3E, Gandhi Nagar, Delhi-110031 ["the Property"] may be undertaken between decree holder No. 2 on the one hand and judgment debtor Nos. 1(a) to 1(e), who are the legal heirs of deceased judgment debtor No. 1, and judgment debtor Nos. 2 and 3 which are businesses under the control of judgment debtor Nos. 1(a) to 1(e).

2. It is recorded in orders dated 11.07.2022, 12.09.2022 and 21.11.2022, that the parties agreed to vertical partition of this Property. A site plan of the property has been annexed to the application which is reproduced below:



3. Learned counsel for the parties jointly state that the decree holder No. 2 will be entitled to 50% of the portion shown in yellow in the aforesaid site plan (abutting *property No. IX/812*), whereas judgment debtor Nos. 1(a) to 1(e) and judgment debtor Nos. 2 and 3 will be entitled to the portion shown in orange (abutting *property No. IX/810*).
4. The parties will carry out the physical partition in terms of these directions within two weeks from today and file affidavits



to this effect. Learned counsel for the parties will coordinate among themselves for fixing the date.

5. Learned counsel for the parties state that further proceedings in execution may await the implementation of this order.

6. List on 03.05.2024.

**PRATEEK JALAN, J**

**FEBRUARY 26, 2024**

*“Bhupi”/*