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

+ **CS(OS) 3676/2014 & I.A. 23906/2014 & I.A. 18225/2023**

MASTER RACHIT @ CHINUPlaintiff

Through: Mr. Awijit Paliwal, Advocate

versus

SATYENDER DABAS & ORSDefendants

Through: Mr. Mukul Sharma, Adv. for D-1 to D-4.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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02.09.2024

1. With the consent of plaintiff's mother as next friend and the defendants, following arrangement with regard to the sale of residential Plot No. BHP/140, Omaxe City, Delhi Road, Bahadurgarh, Haryana, was recorded *vide* order dated 25.07.2024:

- (i) the parties have agreed to fix the reserve price of the aforesaid property at Rs. 2.5 crores.
- (ii) the plaintiff will make an endeavour to get a buyer on the next date who could offer a price better than the aforesaid reserve price. In the event any buyer offering price better than the reserve price is brought by the plaintiff, the aforesaid property shall be sold to him.
- (iii) in case the plaintiff fails to get a buyer with a better price on the



next date, in that event the defendant no.4 shall be at liberty to sell the said property subject to prior deposit of 1/6th share of the minor calculated at 50% of the reserve price, in the court.

2. Learned counsel appearing on behalf of the plaintiff submits that the plaintiff has not been able to arrange a buyer for the property i.e. residential plot no. BHP/140, Omaxe City, Delhi Road, Bahadurgarh, Haryana. He submits that in terms of the arrangement worked out between the parties, the plaintiff's mother, who is the next friend of the plaintiff, has no objection in case the said property is sold by the defendant no. 4 (Smt. Suraj Kaur) subject to prior deposit of claimed one-sixth share of the minor calculated at 50% of the reserved price of Rs. 2.5 crores, which comes to Rs. 20,83,333/-, in the name of worthy Registrar General of this Court. The statement is taken on record.

3. In view of the above, the defendant no. 4 (Smt. Suraj Kaur) is at liberty to sell the aforesaid property after depositing an amount of Rs. 20,83,333/- by way of demand draft in the name of worthy Registry General of this Court. The amount so deposited shall be kept in an interest bearing Fixed Deposit initially for a period of one year, on an auto renewal mode.

4. With the aforesaid directions, the application stands disposed of.

O.A. 125/2024

5. This is a chamber appeal preferred by the plaintiff against the order dated 15.07.2024 whereby the plaintiff's evidence was closed.

6. The learned counsel appearing on behalf of the defendants on instructions, submits that the defendants have no objection in case the present OA is allowed.

7. Accordingly, the OA is allowed. Let plaintiff take steps to summon the



sole remaining witness from the office of the Tehsildar, Bahadurgarh, Haryana, after the learned Registrar fixes the date for recording plaintiff's evidence.

8. The OA stands disposed of.

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9. List before the learned Joint Registrar for fixing the dates for recording plaintiff's evidence, on 26.09.2024, the date already fixed.

VIKAS MAHAJAN, J

SEPTEMBER 2, 2024

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