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

+ EX.P. 22/2021

RAVI SAWHNEY & ORS.

.....Decree Holders

Through: Mr. A.S. Chandhiok Sr. Adv. with Mr. Vineet Jhanji & Mr. Imran Moulaey, Advs. DH No.2 in person and Power of Attorney holder of DH No.1 & 8.

Mr. Viraj Datar, Sr. Adv. with Mr. Imran Moulaey, Advocate for DECREE-HOLDER NO.6.

Mr. Divye Puri & Ms. Sakshi Anad, Advs. for DH-9 & 10.

versus

RAMESH KOHLI & ORS.

.....Judgement Debtors

Through: Mr. Samar Bansal, Mr. Vinayak Mehrotra, Mr. Vedant Kapur & Ms. Nandini, Advs. for JD no.1 (C).

Mr. Manish Kumar Choudhary, Ms. Srishti Choudhary & Ms. Shefali Choudhary, Advs. for JD-2(a) (b) (c) (d).

Mr. M.S. Khan, Mr. Yasir Khan, Mr. Akbar Kaleen & Mr. Arshyam, Advs. for JD-IA and IC. Mr. Vidur Bhatia & Mr. Eleen Garg, Advs. for J.D. No.3-5.

Ms. Anubha Goel, Advs. for J.D. No.6 & 2(e).

Mr. Akshay Makhija, Sr. Adv. with Ms. Roshni Namboodiry, Adv. for JD no.7.

Mr. Naman Joshi and Mr. Rahul, Advs for Auction Purchaser in Ex. APPL. (OS) 215/2024.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH



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ORDER
19.05.2025

EX. APPL. (OS) 729/2025

1. This is an application filed on behalf of the decree holder No. 6 under Section 2 and 3 of the Partition Act, 1893 seeking issuance of direction to the parties to exercise their option individually or collectively regarding buying the shares of the other co-sharers/ owners in respect of the property 31 Golf Links, New Delhi,.
2. Learned Senior Counsel for the applicant states that without adjudicating the present application as of today, the starting point should be the valuation report from the government approved valuer for the value of lease hold and free hold of the property in question i.e. 31, Golf Links New Delhi.
3. I am not inclined to accede to the request of the non-applicant for appointing an auctioneer as the valuation report on record is more than two years old and hence, there is a requirement of a latest valuation report to ascertain the prevalent market price of the property.
4. Mr. Bansal, learned counsel for the judgment debtor no.1 (C) states that the judgment debtor no.1(C) is ready to offer the price to the applicant for their share in terms of Section 3 of the Partition Act.
5. The same shall be adjudicated as and when stage so arises. The submissions of Mr. Bansal as well as other co-sharers will be decided as and when the application is taken up for hearing.
6. Mr. Arvinder Singh Atwal (Mobile No. – 9814866116) is appointed as a valuer to value the lease hold and free hold price of the property in question i.e. 31, Golf Links New Delhi. The fee of the valuer is fixed at Rs.



55,000/- which shall be borne by the decree holder no.6.

7. List for further hearing on 26.08.2025.

JASMEET SINGH, J

MAY 19, 2025/ssc

Click here to check corrigendum, if any