

Sh Krishan Kumar Sharma vs Sh Naresh Kumar Sharma & Ors on 21 March, 2018

Author: Manmohan

Bench: Manmohan

\$~9

* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CS(OS) 2/2017
SH KRISHAN KUMAR SHARMA Plaintiff
Through Mr.Satish Kumar, Advocate.

versus

SH NARESH KUMAR SHARMA & ORS Defendants
Through Ms.Vijaya Lakshmi, Advocate for D-
3 & 4.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN
ORDER

% 21.03.2018 Present application has been filed by the plaintiff under Order XII Rule 6 CPC seeking a decree on admission.

Learned counsel for the plaintiff-applicant states that the admitted position is that the mother of the parties to the suit, who was the absolute owner of the suit property, died intestate. He further states that on the death of the mother, each legal heir became entitled to 1/5th share in the suit property. He, however, states that as both the sisters have relinquished their respective shares in favour of their brothers by way of registered relinquishment deed dated 27 th December, 2014, the three brothers are entitled to 1/3rd share in the suit property. He further prays that the plaintiff is entitled to judgment on admission.

Issue notice.

Ms.Vijaya Lakshmi, Advocate accepts notice on behalf of defendant nos.3 & 4. She states that she does not wish to file a reply- affidavit.

Issue notice to the unserved defendants through counsel, returnable for the date fixed.

MANMOHAN, J MARCH 21, 2018 KA