

CS No. 265/18

Dr. Pratibha Arya Vs. Smt. Rupinder Kumari

23.03.2018

Present: Shri Rohit Oberoi, Shri Mayank Bhargava, Ld. Counsel for the plaintiff along with GPA of plaintiff. (Mobile No.9810383816).
Shri Vikas Dhawan and Shri S P Das, Ld. Counsel for defendant no.1. (Mobile No.9818097998).
It is submitted by Id. counsel for defendant no.1 that he will be filing his vakalatnama during the course of the day.

It is the argument of Id. counsel for plaintiff that illegal construction is going on on the first floor as well as the second floor terrace which has resulted into the damages to the property of the plaintiff on the ground floor.

On the other hand, it is submitted by Id. counsel for defendant no.1 that some porta cabins were being put on the terrace. On the complaint of the plaintiff, NDMC has destroyed the same on 13.03.2018. Further only repair work is going on in the kitchen at present on the first floor belonging to defendant no.1 for laying new modular kitchen.

Considering the contentions between the parties and on the repeated insistence of plaintiff, I hereby appoint **Mr. Sparsh Jain Mobile No.9999850318, Chamber No.204, Block-3, Delhi High Court and Chamber No.433, Lawyers Block, Saket Court Complex as Local Commissioner** to visit the premises of the plaintiff at the earliest and file the report regarding-

1. Whether any unauthorised construction is going on on the first and second floor of the impugned property.

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2. Whether any repair work is going on on the first and second floor of the impugned property.

Fees of the Ld. LC is Rs.50,000/-, to be paid by the plaintiff. LC is directed to take photographs to substantiate his report.

Defendant no.3 is deleted from the array of parties as no cause of action against it.

Put up for consideration of notice to defendant no.2 on the next date of hearing.

Put up for further proceedings on **11.04.2018**. Copy to LC to file report by next date of hearing.

(TWINKLE WADHWA)
ADJ-03/PHC/NEW DELHI
23.03.2018

