

17.01.2026

Present: Plaintiff with Ld. Counsel Sh. J.M. Mittal.

Sh. Naman Joshi and Sh. Verdaan Jain, Ld. Counsels for defendant no.1 to 4.

Sh. Imon Bhattacharya, Ld. Counsel for defendant no.5 through VC.

Sh. Ritvik Shukla, Ld. Counsel for defendant no. 6 & 7.

Ld. Counsel for plaintiff submitted that plaintiff does not wish to file the reply to the objection of D-1 to D-4 to the report of LC and even plaintiff has no objection if the objections are disposed off as allowed.

Heard. Case file perused.

Plaintiff filed this suit for declaration declaring him as absolute owner of 1/4th share in the suit property bearing no. 232, New Layalpur admeasuring 200 sq. yards and for partition by metes and bound. The suit was decreed on 30.01.2024 thereafter, Advocate Akash Gupta (Enrollment no. D/7386/2022) was appointed as Local Commissioner to inspect the suit property and suggest the ways, modes and possibility of division of suit property. Local Commissioner filed his report suggesting that the suit property can be divided by metes and bound.

Ld. Predecessor vide order dated 02.08.2025 issued notice to the Commissioner EDMC thereby directing him to submit his report as if

it is permissible as per the municipal bylaws and rules to divide suit property into four parts. A report has been filed by the MCD to the effect that as per rule, it is not permissible to divide suit property into four parts. It is clear that report of Local Commissioner is in violation of bylaws and rules of MCD.

Hence, in view of above and the submissions of Ld. Counsel for plaintiff the objection of the defendant no.1 to 4 is disposed off as allowed.

At this stage, Ld. Counsels for the parties request that the matter be referred to the Mediation Centre. Request is allowed.

Parties are directed to appear before the Mediation Centre on 30.01.2026 at 2 p.m.

To come up before this Court on 24.02.2026.

(Ravinder Singh-I)
District Judge-03
East District, KKD Courts,
Delhi, 17.01.2026