

09.01.2026

Present: Sh. K.R. Rana, Ld. counsel for plaintiff with plaintiff.
Sh. Krishan Kumar, Ld. counsel for defendant with defendant.

1. In this case, plaintiff is *inter alia* seeking partition of a property which as per her measures 250 square yards. During hearing, counsel for defendant submitted that the property actually measures 150 square yards only. But, surprisingly, this fact is not claimed by defendant in his written statement.
2. Thus, before proceeding further in the matter, parties agreed that a local commissioner be appointed to visit the suit property who shall then cause it to be measured and a site plan be prepared with the help of a draughtsman.
3. Thus, with the consent of parties, **Ms. Savita, Advocate (Enrolment no. D/1618/18), Chamber no. G-615, KKD Courts, Delhi Mobile No. 9971478352** is appointed as local commissioner to carry out inspection of the suit property bearing no. H. No. A-4/460, Gali no. 4, out of Khasra no. 171, Harijan Basti, Amar Colony, East Gokulpur, Delhi-110094. She shall get the property measured with the help of a draughtsman and shall also get a proper site plan (made to scale). The site plan shall indicate the actual position qua area of property as well as construction thereof. She is at liberty to take police help from the concerned police station for carrying out the said inspection, if required.
4. **The local commissioner shall carry out the local inspection of the site i.e. suit property on 11.01.2026 at 12:00 PM.** SHO concerned is directed to be personally present for carrying out of inspection along with lady police and if necessary, any obstruction/lock/gate be removed for carrying out the inspection of property. In case the SHO fails to provide necessary

assistance, he shall remain physically present in court on NDOH.

5. **The fee of the local commissioner is fixed at Rs.20,000/- to be shared equally by parties i.e. Rs.10,000/- each to be paid by each party to ld. local commissioner. In case the fee is not paid by either of the parties (as per their share), the same may be paid in full by the other to the local commissioner who can then recover it from the other side, as per law. The fee shall be paid in advance to the ld. local commissioner.**
6. **The fee of the draughtsman shall be paid separately by the parties as per actuals. Let the report of local commissioner along with the site plan to be prepared be filed in court on 09.02.2026.**
7. List on 09.02.2026.
8. Parties are expected to assist the local commissioner in the carrying out of commission and they or their counsels can remain present during the inspection.
9. Interim orders to continue.
10. Let copy of this order be given dasti to the parties and also to the ld. local commissioner. Copy of this order be also sent to SHO concerned for information and necessary compliance.

AASHISH GUPTA
DJ-01/NE/KKD/DELHI
09.01.2026