

20.05.2026

Present: Sh. Jitender Pancharia, Ld. counsel for plaintiffs.
Sh. Pankaj Jain, Ld. counsel for LRs of defendant.

IA no. 1/26

1. Counsel for plaintiff submits that he has no objection in case the evidence of Amar Nath is recorded through LC.
2. With the consent of parties, let the evidence of DW Amar Nath be recorded by the local commissioner appointed by this court.
3. Thus, with the consent of parties, **Sh. Amit Kumar Gupta, Advocate (Enrolment no.D/525/13)**, Court address: **G-Block, G-60, Seat No. 60, 1st Floor, KKD Courts, Delhi, Mobile No. 9211270350** is appointed as local commissioner to record plaintiff's evidence. Accordingly, parties shall appear before the Ld. LC on 25.05.2026 at 2:00 PM for fixing a schedule and a request shall be made to the LC to record the evidence of witness Amar Nath at his residence. This is considering his illness. It is expected that the evidence shall be recorded within the first week of June, 2026.
4. The fee of the Ld. Local Commissioner is fixed at Rs.20,000/- per visit to be paid in advance by the defendant directly to the local commissioner. It shall be the duty of plaintiff to ensure presence of his counsel for cross-examination of the said witness.
5. Asstt. Ahlmad/Nazir of the court is directed to take the case file to the place of residence of witness Amar Nath for recording of his

evidence. The said residence shall be intimated in advance to the concerned official. A sum of Rs.1000/- per day shall be paid to the said Asstt. Ahlmad/Nazir as diet money/miscellaneous expenses for taking the record to the place of recording of evidence.

6. List before this Court on 04.07.2026 for report of LC as well as for further DE.
7. Let copy of this order be given dasti to the parties and intimation be sent to the Ld. local commissioner in this regard
8. Parties are expected to assist the Ld. local commissioner while recording of evidence by him.
9. Application stands disposed off.

CS no. 295/18

10. Affidavits in evidence of Yogesh Tyagi, Jageshwar and Amar Nath filed. Copy already supplied.
11. DW-1/Sh. Yogesh Tyagi is examined, cross-examined and discharged.

AASHISH GUPTA
DJ-01/NE/KKD/DELHI
20.05.2026