

10 CS DJ 464/25 USHA GUPTA Vs. SHRI SUDHIR GOEL
05.05.2026

Present: Sh. Harshvardhan Singh, Ld. Counsel for the
plaintiff
None for defendant

1. In the interest of justice, be deferred for 11.30 AM

(Akbar Siddique)
DJ-04, North, Rohini Courts,
Delhi/05.05.2026

At 12.20 PM

Present: Sh. Madan Vachar (through VC) and Sh.
Harshvardhan Singh, Ld. Counsel for the plaintiff
Sh. Ranbir Singh, Ld. counsel for defendant no.1 and
2.

1. An application u/s 151 CPC is filed on behalf of D1 and
D2 praying for waiver of cost vide order dt. 04.12.2025.
Not opposed by Ld. Counsel for plaintiff, in view of that,
cost is reduced to Rs. 500/- paid to DLSA, North, Rohini
2. Replication filed. Copy supplied.

**Pleadings are complete. On the basis of above pleadings,
following issues are settled for trial:**

1. *Whether the plaintiff is entitled for a decree of possession of the suit property i.e. entire ground floor portion of the property bearing no. 2624 A built on land measuring 160 sq yds situated at Hudson Lane, Kingsway Camp, Delhi-09 as prayed for? OPP*
2. *Whether the plaintiff is entitled for a money decree for a sum of Rs. 1440000/- on account of use and occupation charges of the suit property? OPP*
3. *Whether the plaintiff is entitled for decree for permanent injunction, as prayed for? OPP*
4. *Whether the present suit is not maintainable ?OPD*

5. *Whether the plaintiff has suppressed material facts?*
OPD

6. *Relief.*

3. No other issue arises or is pressed for by the parties.
4. **Evidence affidavit along with list of witnesses be filed well in advance before NDOH and be also supplied to the opposite party.**
5. **At this** stage application u/s 151 CPC is filed on behalf of plaintiff seeking appointment of LC for recording evidence of the plaintiff. Ergo, in view of the above, I am of the view that the appointment of commissioner for examination of plaintiff will expedite the proceedings.
6. Thus, Sh. Faisal Ishtiaque, advocate present in court, Mobile no. 9999956214 is appointed as LC to examine the plaintiff at his office bearing address **601 6th Floor, Lawyers Chamber Block, Saket Courts, New Delhi 110017**. The fees of Ld. LC will be ₹25,000/-.
7. The Local Commissioner shall conduct the proceedings on 12.05.2026 at 02 PM in the presence of the parties and their respective learned counsel.
8. All parties are directed to remain present along with their counsel at the said date and time. The Ahlmad of this court is directed to carry the judicial file to the abovementioned office address of Ld. LC and to remain present during the proceedings in coordination with the Local Commissioner and the counsels concerned.
9. For this purpose, the Ahlmad shall be paid ₹5,000/- , to be borne by the plaintiff. The Local Commissioner shall ensure that the evidence is recorded properly, maintaining proper minutes of proceedings, marking of exhibits,

verification of identity of the witness and signatures of the parties.

10. The Local Commissioner shall file his Report along with the recorded evidence before this Court on or before **06.06.2026** and shall remain present in Court on the next date of hearing.
11. Copy of this order be also given Dasti to the parties.

(Akbar Siddique)
DJ-04, North, Rohini Courts,
Delhi/05.05.2026