

03.02.2023

Present: Sh. Vinod Kumar, Ld. Counsel alongwith PW/Sh.  
Prerit Gutpa for the plaintiff. (Mobile :  
**9810085320, Emil ID : vinodkr\_advocate @**  
**yahoo.co.in)**

Sh. Anuj Shoutriay, Ld. Counsel for the defendant.  
(Mobile : **9716253118, Emil ID :**  
**anujshrotriya.dra@gmail.com)**

Today witness is present for his examination.  
Admittedly, plaintiff has already supplied the copy of affidavit of  
PW to the defendant counsel on 06.12.2022.

Application moved by plaintiff for waiver of the cost  
of Rs. 10,000/-.

Ld. Counsel for the defendant seeks adjournment. In  
view of the same, costs of Rs. 10,000/- imposed upon the  
plaintiff is waived.

Perusal of the record shows that matter is pending  
since the year 2014. At this stage, both the Ld. counsels for the  
parties agree to appoint a Local Commissioner for recording of  
evidence at their respective expenses.

In view of the same, *Ms. Rosy Sharma, Advocate,*  
*e-mail [rosysharmaadv@gmail.com](mailto:rosysharmaadv@gmail.com) Enrollment No : D-1761-*  
*C/2004, office: Chamber No. 851, District Court Complex,*  
*Saket Court, New Delhi, Mobile No: 9971208186* is appointed

as Local Commissioner for recording the evidence of both the parties at their respective expenses. Remuneration for recording of evidence is fixed at Rs.5,000/-per sitting of two hours. The Stenographer can either be arranged by a litigating party on its own cost or in case the same is arranged by LC, then the actual cost of typing/ printing shall be reimbursed by the party to Ld. LC. In case the evidence is recorded in the Court, the Ahlmad of the court shall provide the court record to enable the examination of the witnesses and cost of Rs.500/- per sitting shall be paid to the Ahlmad. Ahlmad shall ensure the safe custody of the court record during the proceedings. In case the LC record the evidence in her office/ out of Court, parties may get the certified copy of the documents if required, for the purposes of using the same during evidence.

All payments shall be redeemable as cost of litigation at the end of the suit. Once the evidence commences, Ld. Local Commissioner is directed to make endeavour to record the evidence on day to day basis and in any case, not to give date of more than **10 days** between the two dates. Local Commissioner is also directed to not adjourn the matter telephonically at the mere asking of the counsels. Local Commissioner shall provide the copy of evidence and proceedings for each date to both the parties through email/soft copy.

In case, any adjournment is sought by any party on any given date, the cost of proceedings of that date shall be borne by the defaulting party.

The Court Commissioner is directed to complete

entire evidence by next date.

Both the parties to appear before Local Commissioner for recording of evidence on **21.02.2023**

Put up for final arguments/ further proceedings on **15.03.2023**. Copy dasti to all the parties/ LC through email as well.

**(Munish Markan)**

ADJ-02/(SE), District Courts, Saket,  
New Delhi/03.02.2023