

27 CS 100/2014 948/16
NEELAM Vs. BHAGAT SINGH

09.12.2025
AT 03:12 PM

Present: Sh. A.K. Dubey, Ld. counsel for plaintiff through
VC
Ms. Preeti Rahi, Sh. Surender Pratap and Ms.
Archana, Ld. Counsels for plaintiff (appeared at
01:00 PM)
Sh. Hari Ram and Nihar Indu Dass in person
(appeared at 01:00 PM)
Sh. Kunal, Son/LR of defendant in person.

Matter is listed for pronouncement of judgment.

Plaintiff has filed the present suit seeking the relief of specific performance, recovery of possession and permanent injunction in respect to property i.e. part of Khasra No.125/126, ad-measuring 60 sq. yards out of 120 sq. yards, Village Karawal Nagar (Lal Dora), Delhi-110094 against defendant.

Plaintiff of CS No.302/16 has filed the said suit seeking the relief of specific performance, recovery of possession and permanent injunction in respect to property i.e. part of Khasra No.125/126, ad-measuring 60 sq. yards out of 120 sq. yards, Village Karawal Nagar (Lal Dora), Delhi-110094 against defendant.

Defendant in his written statement filed in both the suits has admitted that he is the owner of the properties in question, however, during the pendency of both the suits,

defendant had died on 30.12.2019. On 23.10.2024 LRs of defendant recorded their statement that they are unaware about the existence, whereabouts and exact location of the properties in question.

Ld. Counsel for plaintiff submits that presently the tenants of LRs of defendant are residing over the properties in question. He further submits that the Local Commissioner be appointed in the present matter as well as in CS No.302/2016 who may inspect the properties in question of both the suits and ascertain as to who is in physical possession of the said properties and their status.

Heard.

Considering the factual matrix of the present case, material came on record and submissions made hereinabove, this Court deems it fit to appoint a Local Commissioner **Sh. Prashant Bhardwaj**, Advocate Mobile No.9873236879, Chamber No.332, Lawyers Chamber Block, Dwarka District Court, Delhi-110075 Email ID advprashantbhardwaj@gmail.com in the present suit as well as in CS bearing No.302/2016.

Ld. Local Commissioner is directed to visit the property i.e. part of Khasra No.125/126, ad-measuring 120 sq. yards, Village Karawal Nagar (Lal Dora), Delhi-110094 within 07 days from today.

The local commissioner is directed to thoroughly examine the properties in question (entire area of 120 sq. yards) and ascertain as to who is in actual and physical possession of the same. Ld. Local Commissioner is also directed to ascertain the

status and right/title of the occupants residing in/occupying the properties in question. Ld. Local Commissioner is also directed to obtain requisite documents from the occupants of the properties in question regarding their status. Ld. Local Commissioner is at liberty to record statement of persons residing in the neighbourhoods of the properties in question. He is also directed to verify whether any private number or municipal number has been allotted/assigned to the properties in question and if so, the said numbers be also mentioned in the report.

Ld. Local Commissioner is directed to prepare a site plan of the properties in question. He is at liberty to take assistance of naksha nafis/architect for preparation of site plan. **Plaintiff of both the suits shall bear the expenses of naksha nafis/architect equally.**

Ld. LC is also directed to take photographs of the properties in question. He is also directed to make videography of the proceedings. **The expenses towards the photographs and videography shall be borne by plaintiff of both the suits equally.**

Ld. Local Commissioner is also directed to visit the office of concerned Sub Registrar to verify whether a registered document i.e. sale deed can be executed and registered in respect to properties in question.

The fees of Local Commissioner shall be Rs.40,000/- for both the cases which is to be paid by plaintiffs equally.

Ahlmad is also directed to provide copy of memo of parties and site plan of the properties in question to the LC.

Notice be also issued to concerned Sub Registrar with the direction to disclose whether registered document i.e. sale deed, can be executed and registered in its office in respect to properties in question.

Assistant Ahlmad is directed to issue notice to the concerned Sub Registrar by tomorrow.

Put up for report of LC, report of Sub Registrar and further proceedings on 24.12.2025.

Copy of the present order be given to the LC.

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
09.12.2025