

30.05.2026

Present : Sh. Mayank Mahendru, Ld Counsel for plaintiff.
Sh. Mohit Chaudhary, Ld Counsel for Defendant no.1.
Sh. Vivek Sharma, Ld Counsel for Defendant no.2 & 3.

Written statement on behalf of defendant no.1 filed. Same is taken on record.

Written statement on behalf of defendant no.2 & 3 filed. Same is taken on record.

Defendant no.1 has filed reply to the application for early hearing. Same is taken on record.

Arguments on the application u/s. 151 CPC for early hearing heard on behalf of both the parties.

In view of the contentions made in the application, the application u/s. 151 CPC is **allowed** and case is taken up today.

Ld counsel for plaintiff submits that despite granting stay by this court on 22.05.2026, construction is being carried out at suit property by defendant no.1.

Ld counsel for all the defendants disputed the site plan and submitted that the photographs annexed by the plaintiff is of property which lies in the Geeta Colony and not of the suit property which is situated in Krishna Nagar.

Ld counsel for plaintiff submits that they have filed the photographs of suit property situated at A-31, Krishna Nagar Extension, Main Patparganj Road, Delhi and not of property in Geeta Colony.

To end the controversy whether the photographs are of suit property or property at Geeta Colony, **Sh. Aman Kaushik, Advocate, E.**

No. D/11429/2022, Mob No. 9368266619, Ch. No. 439-440, Civil Wing, Tis Hazari Courts, Delhi – 110054 and D-521, Karkardooma Courts, Dlehi is appointed as Local Commissioner, who shall visit both the properties i.e. A-31, Krishna Nagar Extension, Main Patparganj Road, Delhi and 11/144, Geeta Colony, Delhi and click their photographs which will also cover the adjacent houses so that photographs can be compared with the photographs which are filed by the plaintiff. Local Commissioner is also directed to mention the addresses of both the properties at the back of the photographs and will file the report.

The fees of Ld. Local Commissioner is fixed as Rs.15,000/- which is inclusive of expenses of photography. The cost of Local Commisioner shall be borne by the plaintiff. Plaintiff to pay the said fees to Ld. LC within a week.

In the meanwhile, all the parties are restrained from doing further construction at the suit property.

Put up for report of Ld. LC on date already fixed i.e. 12.08.2026.

Copy of order be given dasti to the plaintiff.

Copy of order be also given dasti to Ld. Local Commissioner for compliance.

(VIPIN KHARB)
District Judge-03/Shahdara
KKD Courts, Delhi
30.05.2026