

23.12.2025

At 12:45pm

Present: Ms. Pooja Sarwal, Ld. counsel for plaintiff.
None for D-1 to D-3 (**Their right to file WS was closed and they are proceeded ex-parte vide order dated 10.09.2024).**
D-4 deleted from the array of parties vide order dated 10.09.2024.
D-5 deleted from the array of parties vide order dated 13.02.2025.

Arguments heard on the application under Order XXVI Rule 9 CPC for appointment of LC in the present suit.

Ld. counsel for plaintiff submits that by way of present suit, plaintiff is seeking partition, permanent and mandatory injunction. She further submits that Smt. Neera Gupta and Sh. Sunil Gupta died intestate on 30.04.2021 and 02.05.2021 respectively leaving behind plaintiff namely Vishaka Gupta and defendant No.1 namely Sh. Ayush Gupta. She further submits that late Smt. Neera Gupta was having/maintaining a locker bearing No.65 (New No.289) with Bank of Baroda, Maujpur, Delhi-110053. She further submits that plaintiff is not having keys of the said locker. She further submits that plaintiff is unaware about the articles lying in the said locker. She further submits that plaintiff being one of the legal heirs of late Smt. Neera Gupta are entitled for the articles lying in the said locker.

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She further submits that LC be appointed in the present suit with the direction to open/break the Locker No.289 (old locker No.65) maintained with Bank of Baroda, Branch Maujpur, Delhi-110053.

Heard.

This Court is of the considered opinion that appointment of Local Commissioner is necessary to ascertain about the articles lying in the said locker and their value. Accordingly, **Advocate Ms. Gauranshi Rawal (Enrollment No.D-7885/2024, Mobile No.9953837125, Chamber No.246-247, basement Western Wing, Tis Hazari Courts, Delhi, e-mail ID-gauranshir@gmail.com)** is appointed as Local Commissioner, in the present case and her fees is fixed as Rs.30,000/- excluding other expenses, which shall be paid by plaintiff.

Subject to such compliance, **Ld. Local Commissioner** is directed to visit Bank of Baroda, Branch Maujpur, Delhi-110053 and hand over the present order to Bank Manager of Bank of Baroda for compliance.

LC is also directed to open/break the locker No.289 (Old No.65) maintained with Bank of Baroda, Maujpur, Delhi. LC is further directed to prepare inventory of the articles lying in the said locker. LC is also directed to take photographs of the inventory. LC is also directed to prepare the videography of the proceedings. LC is at liberty to take assistance of an approved valuer, if any, gold/silver/diamond ornaments found in the said locker and prepare a Valuation Report of the articles lying in the

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said locker, in the presence of the Bank Manager/Chief Manager concerned and plaintiff.

The Bank Manager concerned is directed to cooperate with the Local Commissioner in all respects for due execution of process.

Bank Manager is also directed to take necessary approval for breaking of aforesaid locker from his/her concerned official.

LD. LC is also directed to issue notice to the parties in advance apprising them about the scheduled date when she will visit the bank for conducting the proceedings.

Copy of the present order be given dasti to plaintiff. Copy of the order be sent to Ld. L.C. for information and compliance.

Application is accordingly disposed of.

Put up for report of Ld. LC and further proceedings on 27.02.2026.

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
23.12.2025