

SATYA VEER SINGH YADAV Vs. RAM AVTAR AGGARWAL

01.08.2025

At 12;03pm

Present: Sh. Rajeev Ranjan Pandey, Ld. Counsel for plaintiff through VC.

Plaintiff in person.

Sh. Ram Lal, Ld. Counsel for defendant along-with defendant.

Affidavit of admission and denial of documents filed on behalf of plaintiff in CS No.931/2017. Copy already supplied.

During the course of arguments on the application under Order XII Rule 6 CPC, Ld. Counsel for defendant, on instructions submits that defendant is in possession of shop bearing No.09, ad-measuring 10 sq. meters and some portion/part of shop bearing No.24, in Block-B, situated at local shopping center, Nand Nagri, Delhi-93. He further on instructions submits that defendant is ready to hand over the possession of the portion/part of shop bearing No.24, in Block-B, situated at local shopping center, Nand Nagri, Delhi-93 to plaintiff within 07 days from today.

Ld. counsel for plaintiff, on instructions submits that plaintiff is ready to take the possession of the portion/part of shop bearing no.24 in Block-B, situated at local shopping center, Nand Nagri, Delhi-93.

(2)

Separate statement of plaintiff and defendant recorded in this regard.

It is jointly submitted by Ld. counsels that in order to avoid further controversy, a Local Commissioner be appointed in the present matter in whose presence the proceedings of handing over the possession of the part/portion of shop bearing No.24 in Block-B, situated at local shopping center, Nand Nagri, Delhi-93 be conducted. It is further jointly submitted that parties shall demolish the existing partition wall between shop bearing No.9 and shop bearing No.24 and after its demolition and demarcation of the area of shop bearing No.9 (as 10 sq. meters), a separate partition wall shall be constructed between shop bearing No.9 and shop bearing No.24. It is further jointly submitted that plaintiff and defendant shall equally bear the expenses for LC, expenses for demolition of the wall and reconstruction of the wall between shop No.9 and shop No.24.

Heard.

In view of the submissions, **Ms. Priti Verma Advocate, (Mobile No.7838581994, e-mail ID-vermapriti74@gmail.com, Enrollment No.D/1964-B/2008, Office at Consultation Room, Old Lawyer's Block, Delhi High Court, New Delhi and R/o Sunshine Apartment, Sector-99, Noida-201301, is appointed as Local Commissioner who shall visit shop bearing No.09 and shop bearing No.24 in Block-B, situated at local shopping center, Nand Nagri, Delhi-93, in the presence of plaintiff and defendant on 07.08.2025 at 10:00am.**

(3)

LC is directed to conduct measurements and demarcation of the shops bearing No.09 and shop bearing no.24, Block-B, situated at local shopping center, Nand Nagri, Delhi-93. LC is also directed to demolish the existing partition wall between shop No.09 and shop No.24. After measurement, the area of 10 sq. meters be demarcated/assigned to shop No.09 and rest of the area/part be demarcated to shop No.24 and possession of that portion/part of shop No.24 which is separated from the area of shop No.9 after demarcating, be handed over to plaintiff. LC is also directed to get the fresh partition wall constructed between shop No.09 and shop No.24, Block B, local shopping center, Nand Nagri, Delhi-93 after demarcation and handing over the possession of part of shop No.24 (which is presently in the possession of defendant) to plaintiff.

LC is also directed to take photographs of the aforesaid shops and prepare site plans, if required.

LC is directed to file his report in original with sets to supply the same to the parties, before this Court on or before the NDOH.

The fees of LC shall be Rs.25,000/- excluding expenses which is to be paid by plaintiff and defendant equally.

Parties shall also equally bear the expenses of architect (naksha nafis), expenses for photographs of aforesaid shops taken by LC. Parties shall also equally bear expenses towards the demolition and reconstruction of the partition wall between shop No.09 and shop No.24.

(4)

If the aforesaid proceedings could not be concluded in one day then the LC shall be entitled for an additional fee of Rs.10,000/- per day which shall be bear by plaintiff and defendant equally. It is made clear that the proceedings of LC shall be conducted between 10:00am to 6:00pm on each day.

Ahlmad is also directed to provide copy of memo of parties, site plan of the aforesaid shops and statements of parties recorded today to LC.

Put up for report of LC and further arguments on the application under Order XII Rule 6 CPC on 29.08.2025.

Copy of the present order be given to LC.

Copy of the present order be given dasti to plaintiff as well as defendant.

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
01.08.2025