

CS DJ No.214/2021
Meera Jain Vs. Rahul Gupta

04.07.2023

File is received by way of transfer from the court of Sh. Chanderjit Singh, learned ADJ-05, South, Saket pursuant to order bearing endorsement No.Judl-II/F.75/South/Saket/2023/12497-12514 dated 11.05.2023. It be checked and registered.

Present:- Sh. Himanshu Lilani, learned counsel for plaintiff
Sh. Vikas Arora, learned counsel for the defendant

An application is moved on behalf of the plaintiff under Section 151 CPC requesting for change of Local Commissioner appointed vide order dated 17.01.2023. It is submitted that the Local Commissioner has recused himself from recording the evidence in the present case. Therefore, some other Local Commissioner may be appointed.

Learned counsel for the defendant has no objection. However, it is jointly submitted at this stage that instead of evidence to be recorded by any Local Commissioner, let the evidence be recorded in the court. In view of the submissions made, **evidence affidavit be filed on behalf of the plaintiff in the court for recording evidence of the plaintiff.**

Application under Section 151 CPC stands disposed of.

Another application under Order 7 Rule 14 (3) CPC moved on behalf of the plaintiff. It is submitted that copy of the

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same has been served to the defendant through e-mail. However, another copy shall be furnished in due course of the day.

Reply be filed within 4 weeks and advance copy of reply be furnished.

Evidence affidavit be filed by the plaintiff within 4 weeks. Copy be furnished.

Put up for arguments on application as well as for PE on 18.08.2023.

(SHALINDER KAUR)

Principal District & Sessions Judge (South)
Saket Courts, New Delhi : 04.07.2023