

14 EX CIVIL 62/24
ANUP KUMAR JHA Vs. VEERMATI

14.11.2025

Present: Sh. Paramveer Singh, Ld. Counsel for DH alongwith
SPA Holder of DH.
Ms. Vishwa Bharti, Ld. Counsel for JD alongwith
SPA Holder of JD.

Ld. Counsel for JD submits that some more time may be given to the JD as JD is unable to get the RFA against the order dated 25.01.2024, listed before the Hon'ble High Court till date.

We are almost about to see completion of 2 years from the passing of the said order and the request is being made that court grants some more time and indulgence to the JD, so that the RFA can get listed. CPC provides the period of 30 days or 90 days, as the case may be for filing appeal, but the courts are not obliged to wait any further for the effected party to move before the higher court for filing the appeal.

Therefore, request which is made, in a way suggesting that even 2 years is not enough for a party to file an appeal cannot be considered by this court and such request be allowed.

Even entertaining such a request makes mockery of the judicial process in my view. Therefore, request cannot be entertained and is hereby declined.

Ld. Counsel for JD submits that the order dated 02.05.2025, wherein the objections of the JD was dismissed by my Ld. Predecessor is also under challenge and that appeal is also going to get listed.

That 6 months period has elapsed even since the passing of that order.

At this stage, Ld. Counsel for the JD submits that a Local Commissioner may be appointed and application has already been filed by the JD in this regard, so that the truth can be ascertained. Therefore, ***Sh. Anupam Jha, Advocate, Enrollment No. D-2695/23, Mobile No.8851103758***, is appointed as Local Commissioner to visit the suit property i.e., Plot No. RZD-18, measuring 283 Sq. Yds., out of Khasra No.84/7/2 situated in the area of Village Palam, now known as Mahavir Enclave, New Delhi. The Local Commissioner shall videograph and photograph the process and also make proper site plan indicating the existence/location of walls in the ground floor/stilt area

Fees of the Local Commissioner is fixed at Rs.20,000/- to be initially borne by the JD. However, it is clarified that if the claim made by the DH is found incorrect, the DH will be liable to bear the costs of the execution of the commission.

Commission be executed preferably within 4 days from today.

SHO PS Palam is directed to render necessary police assistance to the Local Commissioner during the execution of commission.

The Local Commissioner is requested to send his request to the SHO concerned alongwith copy of this order.

List on **06.12.2025**.

Order dasti.

(HARJYOT SINGH BHALLA)
DJ-03, SOUTH-WEST, DWARKA
NEW DELHI/14.11.2025