

30.04.2022

Present: Ms. Priyanka Dagar, Ld. Counsel for plaintiff along with plaintiff.
Sh. Bijender Singh, Ld. Counsel for defendant no. 1.
None for defendant no. 2.

Ld. Counsel for plaintiff stated that the suit property is in possession of the persons other than defendant no. 1 who the plaintiff wishes to implead as defendants. Ld. Counsel for plaintiff has further pointed out that defendant no. 1 has disclaimed any knowledge of who is in possession vide his statement on oath before this Court dated 28.09.2019 and she further requested to clarify the factual status of the possession.

Heard.

In view of the above submissions and to avoid multiplicity of litigation, let the Local Commissioner be appointed for filing the report.

At this, Ld. Counsel for plaintiff further stated that plaintiff will bear the whole expenses of the Local Commissioner to make true facts before the Court. In view of the facts and circumstances, request is allowed and Sh. Vikasdeep Sharma (Enrl. No. D/1011/2008, having office at 522, Lawyer's Chamber Block, Dwarka Court Complex, New Delhi; Contact No. **9911994525**) be appointed as Local Commissioner with a request to file a detailed report regarding factual status of the

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physical possession upon the suit property bearing no. WZ-490, Gali No. 16, Sadh Nagar, Palam Colony, New Delhi, measuring 615 sq. yds. as shown in red color in the site plan as Annexure A1. Copy of site plan be also given to LC along with the order to be furnished on behalf of plaintiff. LC is directed to also verify the nature of occupation being claimed by the persons found to be in physical occupation – whether they claim to be tenants or owners through GPA/ Agreement to Sell/ Sale deed etc. The fees of LC is fixed as Rs. 10,000/- to be given by the plaintiff as consented. As agreed by both parties, the visit of Local Commissioner is fixed for **10.05.2022**. Both parties have furnished their contact details with the Ahlmad of this Court to be furnished to LC.

Put up for filing report of Ld. Local Commissioner on **31.08.2022**. Copy of order be given dasti.

(DIVYANG THAKUR)
ADJ-03/ SOUTH-WEST
DWARKA/ NEW DELHI
30.04.2022 (A)