

RATTAN PARKASH BHALLA Vs. JASWANT RAI BHALLA

22.12.2022

Present: Sh. Mohit Gupta and Ms Meenakshi Garg, Ld. counsel for plaintiff
Ms Shalini Gandharva and Sh. Lalit M. Gandharva, ld. counsels for L.Rs of
defendant no. 1 and L.Rs of defendant no. 3.
Sh. Anup Kundra, Ld. counsel for defendant no. 2 A.
Sh Ishwar Singh and Sh. Nikhil Chandar, ld. counsels for defendant nos.
2(B(i) and 2(B) (2).

Pursuant to the order dated 11.03.2022 passed by the Ld. Predecessor vide which application moved by the plaintiff u/o 12 rule 6 CPC was allowed and a preliminary decree was passed, plaintiff has moved an application for appointment of local commissioner for suggesting ways and means to partition the suit property. Consequently, Mr. Aniruddh Bhat, Advocate, (Enrl. No. D/2552/17, Mobile No. 9999902949, Email anirudhrbhat@gmail.com) is appointed Local Commissioner to visit the suit property bearing plot No. 1, Road No. 5, measuring 354.93 sq. yds in Punjabi Bagh, New Delhi and furnish his report with regard to possible modes to partition the suit property.

Ld. Local Commissioner is specifically directed to take note of the findings given in order dated 11.03.2022 since the said order records that defendant no. 1 has already sold off some part of the property but from his own share. Ld. Local Commissioner may inspect the Court file. The fee of the Local Commissioner is assessed as Rs. 35,000/- which shall be borne by the plaintiff.

Ld. Local Commissioner is directed to visit the suit property mentioned above on 21.01.2023, after fixing a mutually convenient time. Copy of this order be sent to the Ld. Local Commissioner on his E-mail mentioned above, by the Reader of the court from the E-mail ID of the Court. Consequently, application moved on behalf of plaintiff under order 26 rule 13 read with section 151 CPC stands disposed off accordingly.

Put up for report on 28.02.2023.

(Ajay Gulati-I)
ADJ-02, WEST
22.12.2022