

20.12.2024

Present: Sh. Praveen Sharma, Ld counsel for the plaintiff.
Sh. Sushil Kumar, Ld proxy counsel for Lrs of D-1
& D-3 through VC.
None for Lrs of D-2.
D-2 (a) and D-2 (b) are in person.

An application under Section 151 CPC has been filed on behalf of the plaintiff for directing the D-1 & D-3 to pay their share of fee of Local commissioner.

Ld counsel for the plaintiff submits that if D-1 & D-3 are not ready to pay their share of fee of Local Commissioner, then he is ready to pay the same but subject to realization of that amount from the sale proceeds.

The plaintiff is directed to pay the share of D-1 & D-3 , in the fee of Local Commissioner and he is entitled to recover the said amount from the sale proceeds of sale of the property in question. *Application stands disposed off accordingly.*

Ms. Shalini Gandarwa, Ld counsel for D-1 and legal heirs of D-3 appeared through VC and submits that the defendant no. 1 and legal heirs of D-3 are ready to purchase the suit property.

Vide order dated 25.05.2023, the Ld Predecessor of this court has already passed order regarding the sale of the property in question and details guidelines are mentioned in said order.

Let sale of the property in question be conducted, in terms of order dated 25.05.2023.

Put up for awaiting finalization of sale on **21.03.2025.**

Copy of this order be given dasti, as prayed for.

(SHIV KUMAR)
DJ-02 (W): THC:Delhi
20.12.2024