

24.04.2026

Present: Sh. Tajinder Singh, Ld counsel for the plaintiff along with Sh. Kishan one of the LR of Deceased plaintiff in person.  
None for the defendant.

Ld. counsel for the plaintiff submits that fourth floor of the suit property may be given to the L.Rs of deceased plaintiff and the other floor may be given to Defendant no. 1 to 3. He further submit that he has filed affidavit of one of the L.Rs of the plaintiff in this regard.

Ld. counsel for the plaintiff submits that Local Commissioner may be appointed for partition the suit property by metes and bounds.

None has appeared on behalf of defendants for making arguments regarding partition of the suit property by metes and bounds. The defendants have also not filed affidavit for suggesting the ways and means for partition of the suit property by metes and bounds.

In view of the non- filing of affidavits by the defendants for suggesting the ways and means as well as submission of ld. counsel for the plaintiff, this court deems it fit to appoint Advocate Sh. Sukreet Kakran, Enroll No. D/4347/2024, Mobile No. 8929792075 as a Local Commissioner for ascertaining the ways and means for partition of the suit property by metes and bounds as per shares of the parties in the suit property determined by this court vide preliminary decree

dated 4.11.2024. The shares of the parties in suit property i.e. bearing no. B-253, J.J. Colony, Chaukhandi, Tilak Nagar, New Delhi-110018 ad-measuring 25 sq. yards built up up to fourth floor are as follows:

1. Sh. Sanjay S/o late Smt. Dhan Devi ( 1/24th share)
2. Sh. Khumar Pal S/o late Smt. Dhan Devi ( 1/24th share)
3. Sh. Kishan S/o late Smt. Dhan Devi ( 1/24th share)
4. Smt. Yashoda D/o late Smt. Dhan Devi ( 1/24th share)
5. Smt. Neeru Kashyap Do late Smt. Dhan Devi ( 1/24th share)
6. Smt. Somwati D/o late Smt. Dhan Devi ( 1/24th share)  
( L.Rs of deceased plaintiff/late Smt. Dhan Devi )
7. Sh. Mahavir S/o late Sh. Misri Lal ( 1/4th share)
8. Sh. Hukam Chand S/o late Sh. Misri Lal. ( 1/4th share)
9. Sh. Gobind S/o late Sh. Misri Lal ( 1/4th share)

The Local Commissioner shall be free to engage the service of a government approved draftsman and also shall be free to take photographs etc. The Local Commissioner shall visit the suit property within 15 days and shall also talk with the parties of the suit.

Ld. Local Commissioner shall take into consideration submissions of all the parties for determining the means and ways for partition of suit property by metes and bounds. If , partition of the suit property is not possible, by metes and bounds then he shall mention this fact with reasons in his report.

The parties of the suit are directed to give full cooperation to the Ld. Local Commissioner for above said purpose.

The fees of the Local Commissioner is fixed at Rs. 24,000/-. L.Rs of plaintiff shall pay Rs. 6,000/-, defendant no. 1 shall pay Rs. 6,000/-, defendant no. 2 shall pay Rs. 6,000/- and defendant no. 3 shall also pay Rs. 6,000/- to the Ld. Local Commissioner. Initially the total fees of Ld Local Commissioner of Rs. 24,000/- shall be paid by the L.Rs of deceased plaintiff and thereafter the L.Rs of deceased plaintiff shall be entitled to recover share of fees of ld. Local Commissioner of the defendants from the defendants.

In case of any apprehension nurtured by the Ld. Local Commissioner with respect to the possibility of any dispute/disturbance, the concerned SHO is directed to provide police aid to the Ld. Local Commissioner.

It is made clear that in case, the ld. Local Commissioner chooses to engage the services of a draftsman/photographer, the parties shall bear the actual cost borne by the local commissioner for engaging such services and payment of said cost shall be paid initially by the L.Rs of plaintiff and thereafter the L.Rs of plaintiff shall be entitled to receive the share of cost of defendants from the defendants.

Copy of the order be sent to the Ld. Local Commissioner on his Whatsapp number. Copy of this order be given dasti, to ld. counsel for the plaintiff.

Court notice be also issued to the defendants to appear in person on the next date of hearing.

Put up for awaiting report of ld. Local Commissioner as well as consideration of passing of final decree on 06.07.2026 at 2:00 P.M.

(SHIV KUMAR)  
DJ-02 (W)THC:Delhi  
24.04.2026