

18 CS DJ 185/18 HARNAM KAUR AND ORS. Vs.
SARABJEET SINGH

07.03.2026

Present: Sh. DK Mehta, Ld. Counsel for P1, P2, P3 and P5
Sh. Vidul kamra, Ld. Counsel for P4 along with P4.
Sh. Ashish Laroia, Ld. Counsel for LR's of D2
through VC.

Today an application u/o 39 Rule 1 and 2 read with section 151 CPC stating therein that some construction work is going on in the suit property and the room is constructed in the open Varanda of the first floor and the iron gate affixed on the stairs leading to the terrace floor has been permanently locked and P5 is not permitted to go to the terrace portion. To this, the Ld. Counsel for the defendant submits that no such room is constructed and he will file a detail reply to the present application. The reply be filed within three weeks with an advance copy to the opposite party.

At request, Sh. Rajeev Kaushik, Enroll no. D/2598/2013 mob no. 9718025517 is appointed as an local commissioner to inspect the premises and filed a detailed report along with photographs with respect to the construction of the room in the open Varanda of the first floor. Further, Ld. LC should also visit the terrace above the first floor and informed about the extent of unauthorised construction. The fees of the Ld. LC shall be jointly borne by the P5 and LR's of D2.

A fee of Rs. 25000/- is to be paid to the Ld. LC in advance and the report be filed on or before NDOH.

Today the matter was listed for the cross examination of P4/PW2 Ms. Supreet Kaur. It is informed by the Ld. Counsel for LR's of D2 that he is not well therefore sometime is granted to examine the witness. Perusal of the order sheet dt.

20.12.2025 reveals that last and final opportunity was granted to cross examined the witness but keeping in view the personal difficulty of the Ld. Counsel, no adverse orders are passed. Further, the opportunity is granted to counsel to examine the witness, subject to payment of cost of Rs. 5000/- vide order dt. 20.12.2025 to be paid on NDOH.

To come up on 30.05.2026

(Akbar Siddique)
DJ-04, North, Rohini Courts,
Delhi/07.03.2026