



\$~51

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(OS) 79/2023 & I.A. 2123/2023**

SMT. ROSHNI DEVI

.....Plaintiff

Through: Mr. N. S. Dalal, Ms. Nidhi Dalal, Mr.
Alok Kumar, Ms. Rachana Dalal, Mr.
Karan Mann and Mr. Harish,
Advocates

versus

SHRI NAFE SINGH & ORS.

.....Defendants

Through: None

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **28.05.2025**

1. The suit has been placed before this Court for final disposal.
2. The present suit has been filed for partition and permanent injunction qua the suit land. The detail of the suit land is set out at paragraph no. '8' of the plaint, which read as under: -

“8. The total land which belongs to the Plaintiff and the Defendants is measuring 56 Bigha 12 Biswa situated in revenue estate of village Dindarpur South West Delhi and is comprised of following Khasra Numbers: -

277(00-02), 278(04-14), 280(04-14), 281(04-16), 334(00-17),
375/1 (03-00), 376(04-16), 388(00-04), 389/1(03-00), 390(04-
16), 391 (04-16), 392/1(03-00), 904/2(05-02), 905/212(02-17),
383 min. (02-16), 386 min. (04-06), 387 min. (02-16) Total
Holding: 56 Bigha 12 Biswas”

3. Learned counsel for the plaintiff states that evidence of the plaintiff stands recorded and since defendants have not filed its written statement, the



claim of the plaintiff seeking 1/6th share in the total land stands admitted.

3.1. He states that the shares of the parties are set out in paragraph no. '10' of the plaint. He states that the rights of the parties are duly recorded in the revenue record.

3.2. He states that in this case, the plaintiff is praying for partition of the suit land by metes and bounds.

3.3. He, therefore, prays that the Local Commissioner be appointed for carrying out partition by metes and bounds of the area admeasuring 56 bigha 12 biswa. He states that the suit land, which admeasures 56 bigha 12 biswa includes vacant land and constructed land.

4. This Court has heard the learned counsel for the plaintiff and perused the record.

5. Accordingly, **Mr. Vishal Mann, Advocate** [Mobile No. 9899934315; E. Mail Id. Vishalmaan72@gmail.com; E. No. D/1522/2013] is appointed as a Local Commission to carry out inspection of the suit land with the assistance of the draughtsman and the concerned Tehsildar for or any other competent revenue officer deputed on behalf of the concerned Tehsildar for Village Dindarpur, with the following directions: -

5.1. The Local Commissioner will carry out demarcation of the entire suit land. The site plan will be prepared with the assistance of the draughtsman so that measurement is accurate and the concerned Tehsildar.

5.2. The status of possession will be recorded.

5.3. The existence of the constructed building on the suit land, will be reflected on the site plan.



- 5.4. The Local Commissioner will suggest whether partition by metes and bounds is possible; and suggest the options for partition.
- 5.5. The fee of the Local Commissioner is fixed at the stage is Rs. 2 lakhs. For now, the said fees are to be borne by the plaintiff. The fee will abide by the final-outcome of the present suit. The fees of the draughtman will be borne by the plaintiff.
- 5.6. The Local Commissioner is directed to carry out the local commission in first week of July, 2025 and file his report one (1) week prior to the next date of hearing.
6. List on **31.07.2025**.
7. Copy of this order be sent to the Local Commissioner and Standing Counsel GNCTD (Civil) for information and compliance by the concerned Tehsildar Village Dindarpur for necessary information and compliance.
8. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

MAY 28, 2025/rhc/MG

[Click here to check corrigendum, if any](#)