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

+ EX.P. 39/2019 & EX.APPLs.(OS) 1405/2021, 294/2024

SARDAR HARMOHINDER SINGH

..... Decree Holder

Through: Ms. Meena Chaudhary Sharma, Mr. Saurabh Goel & Mr. Aniket Gupta, Advocates with Decree Holder in person.

versus

SARDAR JOGINDER SINGH

..... Judgement Debtor

Through: Mr. Vineet Kr. Singh & Mr. Abhay Kumar, Advocates for JD.  
Mr. Divyam Nandrajog, Panel Counsel, GNCTD & Ms. Surbhi Soni, Advocate for SDM Hauz Khas.  
Mr. Ajay Sachdeva, Tehsildar, Hauz Khas & Mr. Shiv Kumar Jindad, Patwari, Hauz Khas.

**CORAM:**

**HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA**

**ORDER**

**24.05.2024**

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1. Learned counsel for the Judgment Debtor insists that a Local Commissioner may be appointed to verify the factual situation and the extent of construction existing on the property in question.
2. Learned counsel for the Decree Holder has no objection to the appointment of the Local Commissioner.
3. It is also submitted that a possibility of partition of the property in question, according to the Municipal Laws, can be determined by the Executive Engineer, Municipal Corporation Delhi and the Sub-Divisional



Magistrate has no concern with the rules of partition.

4. In view of the submissions made, Mr. Shivam Sachdeva, Advocate, Mobile No.9971358035 is hereby appointed as the Local Commissioner on the following terms and conditions: -

- (i) The fees of the Local Commissioner is fixed at Rs. 1,50,000/- to be shared equally by the Decree Holder and the Judgment Debtor.
- (ii) The Local Commissioner shall visit the property in question on 31.05.2024 with prior notice to the parties.
- (iii) The Local Commissioner shall inspect and report the factual situation and the extent of construction existing on the property in question.
- (iv) The Local Commissioner shall file the report within one month, also suggesting if the property can be partitioned by Metes and Bounds.
- (v) The parties shall provide full assistance to the Local Commissioner to execute the commission.

5. Pursuant to the Order dated 01.05.2024, Mr. Ajay Sachdeva, Tehsildar, Hauz Khas, has appeared as the Sub-Divisional Magistrate is stated to be busy in the election duty.

6. The presence of Sub-Divisional Magistrate to appear in person is hereby discharged.

7. List on 05.07.2024.

**NEENA BANSAL KRISHNA, J**

**MAY 24, 2024**

**S.Sharma**