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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ EX.P. 39/2019 & EX.APPL.(OS) 1405/2021, EX.APPL.(OS)
294/2024

SARDAR HARMOHINDER SINGH Decree Holder

Through: Ms.Meena Chaudhary Sharma,
Mr.Saurabh Goel & Mr.Tushar
Ahuja, Advs.

versus

SARDAR JOGINDER SINGH Judgement Debtor

Through: Mr.Abhay Kumar, Mr.Vineet
Kumar Singh, Mr.Shagun Ruhil
& Mr.Saurabh Mishra, Advs.
Mr.Divyam Nandrajog, Panel
Counsel for GNCTD with
Ms.Surbhi Soni, Adv. for SDM
Hauz Khas.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **05.07.2024**

1. The learned counsels for the parties point out that the learned Local Commissioner could not execute the commission as, pursuant to the order dated 15.11.2018 in Suit, CS(OS) 566/2018, the keys to the property are deposited with the learned Registrar General of this Court.

2. The learned Registrar General is directed to release the keys of the subject property to the learned Local Commissioner for the purposes of execution of the local commission.

3. In the execution of the local commission, the parties shall be free to assist the learned Local Commissioner and also take along with them an architect, if they so desire, and also take photographs. The other terms of the order dated 24.05.2024 for the execution of the



local commission shall continue.

4. The learned counsel for the Sub-Divisional Magistrate (SDM), Hauz Khas, submits that though the personal presence of the SDM has been dispensed with *vide* order dated 24.05.2024, it is not clear if the SDM is still required to be represented in the present Execution Petition.

5. The SDM need not appear in these proceedings unless further orders are passed in this regard.

6. The learned counsel for the Decree Holder submits that to protect the property, the Decree Holder has put a lock on the main gate of the plot of the subject property.

7. The Decree Holder shall remove such lock when the learned Local Commissioner visits the property. After the inspection of the property has been carried out, the learned Local Commissioner shall put his own lock on the main gate and shall deposit the key thereof, along with the other keys, with the learned Registrar General of this Court.

8. The learned counsel for the Judgment Debtor submits that the Decree Holder could not have placed his own lock on the main gate, or reconstructed the boundary wall. The Judgment Debtor shall be free to move an application in this regard. If such an application is filed, the same shall be decided on its own merits.

9. List on 22nd August, 2024.

NAVIN CHAWLA, J

JULY 5, 2024/rv/SJ

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