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

+ **CS(OS) 277/2020 & I.A. 1045/2024**

DR. MAYA D. CHABLANI

..... Plaintiff

Through: Mr. Ramesh Kumar, Adv. (M.  
9540999465)

versus

SMT RADHA MITTAL & ORS.

..... Defendants

Through: Mr. D. K. Pandey, Mr. R. K. Mishra,  
Mr. Rohit Kumar, Advs.  
(M.8851909015)

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**ORDER**

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**16.01.2024**

1. This hearing has been done through hybrid mode.
2. The present suit has been filed for declaration, rectification of sale deeds dated 20<sup>th</sup> October, 2015 and 15<sup>th</sup> June, 2020. The property involved in the present dispute pertains to a family settlement agreement.

**I.A.1045/2024 (for appointment of Local Commissioner)**

3. This is an application under Order 18 Rule (2) of CPC seeking appointment of Local Commissioner for recording of evidence. Issues in this matter were framed on 19<sup>th</sup> September, 2023. The evidence has already been filed as per the application.
4. Ld. Counsel for the Plaintiff submits that the Plaintiff is a senior citizen of 82 years of age. Her son and daughter-in-law are practicing doctors, therefore, there is a requirement of appointment of Sole Arbitrator for expediting the evidence. The Plaintiff is willing to bear the expenses of the Local Commissioner.



5. Accordingly, **Ms. Surbhi Mehta, Advocate (M:9810155614)** is appointed as the Local Commissioner for recording the evidence in this matter. The expenses of the Local Commissioner shall be borne by the Plaintiff for Plaintiff's evidence. The Local Commissioner shall try and conduct the evidence expeditiously as per the convenience of the witnesses so that there is no delay caused in recording of the evidence, which shall take place within the precincts of Delhi High Court. The fee of the Local Commissioner is fixed at Rs.75,000/- for three witnesses of the Plaintiff. Depending upon the number of hearings, which may be held, if the need for enhancement of fees arises, the same would be considered by the Court.
6. List before the Local Commissioner on 13<sup>th</sup> February, 2024 for fixing of dates for recording of evidence.
7. Application is disposed of.

**PRATHIBA M. SINGH, J.**

**JANUARY 16, 2024/dk/bh**