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

I.A. 23923/2025 & I.A. 23924/2025

IN

+ CS(OS) 394/2025

WHITE PAPER DESIGN PRIVATE LIMITED

THROUGH MR ABHISHEK BANSAL DIRECTORPlaintiff

Through: Mr. Ashish Dholakia, Senior Advocate
with Mr. Shaurya Shyam and
Ms. Ananya Narain Tyagi, Advocates

versus

MR ROMI GARG & ORS.

.....Defendants

Through: Mr. Jai Sahai Endlaw and
Ms. Shambhavi Kala, Advocates for
D-1

Dr. L.S. Chaudhary, Dr. Ajay
Chaudhary, Mr. Bharat Chaudhary,
Ms. Vinita, Ms. Monika and Ms.
Ruchika Bothra, Advocates for D-2 &
D-3

Mr. Sanjay Abbot, Ms. Vasundhra
Bakhra and Mr. Dhananjay Grover,
Advocates for Purchaser/Bhilai Engg.
(P) Ltd.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

23.09.2025

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1. Mr. Sanjay Abbot, Advocate, appears on behalf of Bhilai Engineering Industries Pvt. Ltd., the purchaser of first floor of the property bearing no.A-1, Greater Kailash Enclave-II, admeasuring 833.33 Sq. Yds, New Delhi ('GK-



II Property’) and makes an oral request that the said entity be impleaded as a party in the suit.

2. Accordingly, on the oral request of Mr. Abbot, Bhilai Engineering Industries Pvt. Ltd. is impleaded as a party in the present suit.

3. Amended memo of parties be filed within one week.

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4. Issue summons to the newly impleaded defendant.

5. Summons are accepted by counsel appearing for the newly impleaded defendant, i.e. Bhilai Engineering Industries Pvt. Ltd., who waives the issuance of formal summons. Let a copy of the complete set of the plaint paperbook be supplied to counsel for the newly impleaded defendant by way of an e-mail during the course of the day.

5.1 The written statement shall be filed by the newly added defendant within thirty days from today.

6. Liberty is given to the plaintiff to file replication, if any, within thirty days from the receipt of the written statement.

7. List on 9th October, 2025, date already fixed.

I.A. 23923/2025 (seeking appointment of a Local Commissioner)

8. This application has been filed under Order XXVI Rule 9 of the Civil Procedure Code, 1908 (‘CPC’) for appointment of a Local Commissioner for the purposes of inspection of the first floor of the GK-II property.

9. In a connected suit between the parties, being CS(OS) 626/2025, this Court *vide* order dated 16th September, 2025, had granted *status quo* with regard to title and possession of the basement, ground floor and first floor of the GK-II property.

10. It is prayed that a Local Commissioner be appointed so as to determine



the current status of the property including the possession.

11. Issue notice.
12. Notice is accepted by counsel for the defendants.
13. Counsel appearing on behalf of the defendants no.2 and 3 opposes the appointment of a Local Commissioner.
14. I have heard the counsel for the parties.
15. To be noted, on 10th September, 2025, a statement was made on behalf of counsel for the defendants no.1 and 3 in CS(OS) 626/2025 that they were in possession of the GK-II property as on that date. However, on 16th September, 2025, it transpired that the suit property has been sold to a buyer on 1st September, 2025, through a registered sale deed.
16. The aforementioned inconsistent stands taken by the defendants create a doubt with respect to the possession of the GK-II property. In these circumstances, the Court is of the view that Local Commissioner is to be appointed to determine the current status of the first floor of the suit property.
17. Accordingly, Mr. Abhishek Grover, Advocate (Mobile No.: 9871804549) is appointed as a Local Commissioner for inspection of the first floor of the GK-II property.
18. Following directions are passed in this regard:
 - I. The Local Commissioner shall visit the suit property along with one representative each of the plaintiff, defendant no.1, defendant nos.2 and 3 and the newly impleaded defendant.
 - II. The Local Commissioner shall inspect the GK-II property and submit a report with regard to status of construction and possession of the property.
 - III. The aforesaid parties shall provide full assistance to the Local



Commissioner for executing the present commission.

- IV. The concerned Station House Officer of the Police Station having jurisdiction over the property to be visited by the Local Commissioner shall render necessary assistance to the Local Commissioner.
- V. Local Commissioner shall have the liberty to take photographs/videos of the property and the ongoing activities in furtherance of executing the commission.
19. The fees of the Local Commissioner is fixed as ₹1,50,000/- plus out of pocket expenses, which shall be borne by the plaintiff.
20. The Local Commissioner shall give an advance notice to counsel for the parties before the visit.
21. The Local Commissioner shall file his report within one (1) week after executing the commission along with the photographs/videos.
22. List on 9th October, 2025, date already fixed.
- I.A. 23924/2025 (u/O-XXXIX Rule 1 & 2 of Code of Civil Procedure, 1908)**
23. This application is being filed by the plaintiff under Order XXXIX Rules 1 and 2, CPC seeking *status quo* with respect to possession of the suit property.
24. Issue Notice.
25. Counsel for the defendants accepts notice.
26. Reply(ies) be filed within two (2) weeks.
27. List on 9th October, 2025, date already fixed.

AMIT BANSAL, J

SEPTEMBER 23, 2025
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