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

+ **CS(COMM) 653/2024**

**SH KANWAL SINGH SOLANKI** .....Plaintiff

Through: Mr. Sandeep Khatri, Advocate.

versus

**SH RICHIE SHEKHER & ORS.** .....Defendant

Through:

**CORAM:**

**HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**ORDER**

**02.12.2024**

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**I.A. 46897/2024**

1. This application under Order XXVI Rule 9 CPC has been filed on behalf of the Plaintiff for appointment of Local Commissioner to visit the suit property measuring 3000 sq yds. comprising in Khasra No. -766 & 767, Karan Vihar Phases – 5, Kirari Suleman Nagar, Delhi-110086.
2. The present suit being CS(COMM) 653/2024 has been filed by the Plaintiff for recovery of possession and for damages in respect of the suit property.
3. It is stated by the learned Counsel for the Plaintiff that since the suit property has been used by the Defendants/Tenants for the purposes other than permitted by local laws, the SDM has sealed the suit property. It is stated that the Defendants/Tenants have vacated the suit property but the Plaintiff is not in a position to ascertain as to whether the goods are still lying in the suit property or not.



4. Issue notice.
5. On taking steps, let notice be issued to the Defendants through all permissible modes, including *Dasti*.
6. Let notice be also served on the Defendants through their Counsel.
7. List on 05.02.2025.
8. In the meantime, the Plaintiff is directed to file an application under Order I Rule 10 CPC impleading the SDM in the array of parties.

**SUBRAMONIUM PRASAD, J**

**DECEMBER 2, 2024**

*S. Zakir*