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IN THE HIGH COURT OF DELHI AT NEW DELHI

EX.P. 100/2014

ASHOK KUMAR KHURANA Decree Holder
Through: Mr. Rajat Aneja with Ms. Chandrika
Gupta, Advocates.

versus

TILAK RAJ KHURANA & ORS Judgement Debtors
Through: Mr. Atul Nigam with Mr. Nikhil Jain,
Advocates.

With

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OMP 230/2013

SAROJ BALA KHURANA & ANR Petitioners
Through: Mr. Atul Nigam with Mr. Nikhil Jain,
Advocates.

versus

SHASHI BALA KHURANA Respondent
Through:

And

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OMP 231/2013

TILAK RAJ KHURANA & ANR Petitioners
Through: Mr. Atul Nigam with Mr. Nikhil Jain,
Advocates.

versus



ASHOK KUMAR KHURANA

..... Respondent

Through: Mr. Rajat Aneja with Ms. Chandrika
Gupta, Advocates.

CORAM: JUSTICE S.MURALIDHAR

ORDER

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28.02.2017

1. Today for the first time Mr. Atul Nigam, learned counsel appearing for Mr. Tilak Raj Khurana informs the Court that the property at 7/123-7/124, Ramesh Nagar, New Delhi – 110 015 has no sanctioned plan and that until that hurdle is crossed, the question of applying for permission to install a lift in the premises does not arise.

2. On his part, Mr. Rajat Aneja, learned counsel appearing for Ashok Kumar Khurana, raises an issue that the rent paid by Indian Overseas Bank ('IOB') should entirely come to share of his since the obligation in respect thereof has been fully complied with by him. In response thereto, Mr. Nigam raises an issue regarding transfer of the land on which the school is situated.

3. It appears to the Court that there are issues on which there is no dispute between the parties and in respect of which they can go forward to work out a schedule so that steps by both of them are taken simultaneously. There are issues on which the parties still have a dispute. However, those issues need not prevent the parties from going forward as regards the issues on which there is no dispute.

4. At the last hearing, i.e, on 14th February 2017 it was expected that the



parties will be able to mutually work out a schedule of the steps that they would take to give effect to the agreement reached on some of the issues on which there is no dispute. However, it appears that this has not been possible. Therefore, both parties agree that the Court may appoint any independent person as Court Commissioner ('CC') to assist them in working out a schedule for taking steps as regards the undisputed issues.

5. The Court accordingly appoints Ms. Veena Ralli, Advocate (Mobile No. 9899987093) as CC to facilitate the parties in drawing up a schedule of the steps that require to be taken by them jointly or severally in a time-bound manner so that the issues over which there is no dispute stand resolved. The fees of the CC is fixed at Rs. 1,50,000 which shall be shared equally by the parties and shall be paid to the CC before the next date of hearing.

6. Each of the parties is requested, within a period of ten days from today and in any event not later than 10th March 2017, to draw up and furnish to the CC a list of the steps to be taken (with time lines) in terms of the consent award. The CC will thereafter hold a series of meetings with both parties and counsel to finalise the schedule with their consent. In this exercise, parties will extend their full cooperation to the CC. Ms. Ralli is requested to present before the Court her report by the next date.

7. Both the parties will ensure that a complete set of the paper book along with all the orders passed by this Court is served upon Ms. Ralli not later than 6th March 2017.

8. List on 11th April 2017.



9. Order be given *dasti*. A copy of this order be delivered forthwith to Ms. Veena Ralli.

FEBRUARY 28, 2017
Rm

S.MURALIDHAR, J