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

+ CS(OS) 659/2019 & CRL.M.A. 3846/2021, I.A. 11124/2020, I.A. 9394/2023, I.A. 9395/2023, I.A. 21237/2023, I.A. 21238/2023, I.A. 21549/2023

DR. ANUPAM NIDHI & ANR

.....Plaintiffs

Through: Mr. Abhijit Mishra, Mr. Himanshu
Tomar, Advocates

versus

SH. YOGESH DEEP & ANR

.....Defendants

Through: Mr. Deepak Mehra and Mr. Nikhil
Shukla, Advs.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

21.01.2026

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I.A. 7178/2024

1. This application under Order XXVI Rules 1 and 4 of CPC has been filed on behalf of the Plaintiffs seeking appointment of a Local Commissioner for recording of evidence of the witnesses of the Parties in the present Suit.
2. It is averred in the application that PW-1 has been partly examined, while PW-2, PW-3 and PW-4 have already been examined. It is further alleged that the Defendants are causing undue delay in the recording of evidence and, in order to prevent further delay and to ensure expeditious completion of the evidence, a prayer has been made for appointment of a Local Commissioner.
3. Learned Counsel appearing for the Plaintiffs state that the Plaintiffs



are ready to bear the entire fees of the Local Commissioner.

4. In view of the above, Mr. Laxmi Kant Gaur, Retd. District Judge (Mob No:8800881765) is appointed as the Local Commissioner for recording of evidence of the witnesses. The fees of the Local Commissioner is fixed at Rs.35,000/- per sitting.

5. It is made clear that if the Defendants seek adjournment on any day, the entire fees of the Local Commissioner for that day shall be borne by the Defendants.

6. List before the Local Commissioner on 02.02.2026.

7. List before Court on 09.02.2026.

SUBRAMONIUM PRASAD, J

JANUARY 21, 2026

S. Zakir