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

+ **CS(OS) 927/2013, I.A. 15258/2013 & I.A. 12218/2022**

ANKUR BALI

.....Plaintiff

Through: Ms Sonali Malhotra, Ms Sakshi Singh, Ms Ritika Sharma and Ms Jyoti Jha, Advocates.

versus

MADHU

.....Defendant

Through: Mr U. S. Chaudhary and Mr Vipin Chaudhary, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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16.07.2024

I.A. 21011/2023 (by the plaintiff under Section 151 CPC)

1. By way of the present application, the plaintiff seeks directions to the Local Commissioner to conclude the entire evidence in a time framed manner. Further prayer has been made to enhance the fee of the Local Commissioner by Rs.50,000/-.
2. Learned counsel for the plaintiff invites attention of the Court to Rule 8(ii) of the Chapter XII of the Delhi High Court (Original Side) Rules, 2018, to contend that the Local Commissioner shall ordinarily not adjourn the recording of evidence for a period beyond one week. She submits that the Local Commissioner was appointed *vide* order dated 19.05.2015 and since then more than 15 hearings have been conducted by him but the evidence has yet not been concluded. She further requests the Court to enhance the



fee payable to the Local Commissioner. The prayer is not opposed by the learned counsel for the defendant.

3. In view of the above, the Local Commissioner is requested to expedite the recording of evidence and make an endeavour to conclude the same within a period of three months.

4. The plaintiff is directed to pay further fee of Rs.1 lakh to the learned Local Commissioner.

5. With the aforesaid directions, the application stands disposed of.

I.A. 21012/2023 (by the plaintiff under Section XV-A CPC read with Section 151 CPC)

6. The pleadings are stated to be complete.

7. Let the parties file a short note of their submission along with the judgments they seek to rely upon, before the next date.

8. List for hearing on 18.10.2024.

VIKAS MAHAJAN, J

JULY 16, 2024
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