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

+ CS(OS) 1613/2010 and I.A. 8926/2025

SUBHASH ARORA

.....Plaintiff

Through: Mr Varun Kapur, Advocate.

versus

MEENA CHAWLA

.....Defendant

Through: Mr Barun Dey, Advocate.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

% **28.07.2025**

I.A. 12982/2025/2025 (for appointment of local commissioner)

1. Heard learned counsel appearing for the parties on this application which is filed for the following relief:

“a) Allow the present application under Order XXVI Rule 4A read with Section 151 of the Code of Civil Procedure, 1908 and appoint a Local Commissioner for recording of Cross Examination of DW-1, Smt. Mina Chawla at her residence B-43, Maharani Bagh, New Delhi – 110065.”

2. Learned counsel, who appears for the plaintiff, contends that he does not have any objection in appointment of the Local Commissioner, however, the cost will have to be borne by the applicant/defendant.

3. To this, learned counsel for the applicant/defendant submits that he will bear the entire expenses for recording of the evidence.

4. Under the aforesaid circumstances, court deems it appropriate to



appoint Ms. Diksha Punia, Advocate, (Mobile no. 91 9958535104, Email Id- advdikshapunia@zohomail.in) as Local Commissioner for taking up further necessary steps in accordance with law on the following terms:-

(i) The fees of the learned Local Commissioner is initially fixed at Rs.25,000/-, per hearing, for the recording of evidence to be concluded in six months with a maximum of ten sittings of at least two hours each. Further, if the sitting exceeds two hours, the Local Commissioner shall be entitled to Rs 15,000/- per extra hour.

(ii) The cost of the recording of evidence shall be borne by the defendant.

(iii) In case any adjournment is taken by one of the parties, the said party shall bear the costs of the said sitting. The Local Commissioner shall decide whether the adjournment is on account of the party/parties.

(iv) In case of the requirement of the Court file, the Registry shall make the arrangements to send the Court file to the Local Commissioner, and Rs. 2,000/- is fixed towards the fees to be paid to the Court staff to carry the Court file and the same will be borne by the defendant.

(v) The parties shall provide full assistance to the Local Commissioner for recording of evidence.

5. Let the copy of the said order be sent to the Local Commissioner through the electronic mode as well.

6. List this matter on 31.07.2025 before the concerned Joint Registrar for taking up further necessary steps in accordance with extant rules.

7. Let the date be fixed for recording the evidence before the Local Commissioner by the Joint Registrar.



8. Thereafter, list before the Court on the date to be assigned by the Joint Registrar.
9. The instant I.A. stands disposed of.

PURUSHAINDRA KUMAR KAURAV, J

JULY 28, 2025

tr/mj