



\$~51

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

+ **EX.P. 327/2013**

NAVEEN KUMAR GUPTADecree Holder
Through: **Ms. Mallika Gupta, Adv.**

versus

PRAVEEN KUMAR GUPTA & ORSJudgement Debtors
Through:
**Mr. Hrishikesh Baruah, Mr. Rudraksh
Kaushal, Advs. for JD-2.**

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **24.09.2024**

EX.APPL.(OS) 1543/2024

1. This is an application on behalf of judgement debtor No. 2 seeking appointment of a Local Commissioner, pursuant to an order dated 23.09.2024 passed by the Hon'ble Division Bench in EFA (OS) 20/2024.
2. The operative portion of the order dated 23.09.2024 and more particularly 6 – 8.1 reads as under :-

“6. Ms Gupta says the impugned order had been given effect and that the decree holder has taken possession of 50 % of the subject property, i.e., farmhouse.

6.1 Once again, Mr Baruah, on instructions, disputes this position.

7. Given this position, the appeal is disposed of with a direction that the party shall maintain status quo as regards title and possession.

8. The learned Single Judge will inquire into the matter as to who exactly is in possession of the subject property.



8.1 The parties are also given liberty to move an application before the learned Single Judge for appointment of a Local Commissioner for discerning this aspect of the matter.”

3. The advance copy of the application has been served to the learned counsel for the decree holder at her E-mail ID i.e. malikagupta375@yahoo.in and she has joined through video conferencing mode.
4. For the said reason, the application is allowed and Ms. Jasleen Virk, Advocate (Mob: 7023680931) is appointed as Local Commissioner to visit the property namely Nirmal Vatika measuring 12 Bheega 11 Biswa, Khasra No. 92/1(6-2), 2(4-17), 9(1-12) situated at Village Dariya Pur Kanan, Opp. Fire Station, Bawana, Delhi to see the parties/persons in actual possession of the said property.
5. The fee of the LC is fixed at Rs. 1 lakhs which shall be borne by the applicant.
6. The LC shall visit after giving notice to both parties and is also entitled to take photographs.
7. The application is allowed and disposed of.
8. The order of Division Bench is taken on record.

JASMEET SINGH, J

SEPTEMBER 24, 2024/NG