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

+ **CS(COMM) 444/2017 and I.A. 18270/2019**

SHANTA GANGWANI & ORSPlaintiffs

Through: Ms. Aakanksha Kaul, Ms. Vasundhra Bhakru, Mr. Harish Sethi, Mr. Anant Nigam and Mr. Raghav Luthra, Advocates.

versus

JKM BUILDHOME PVT LTD & ORSDefendants

Through: Mr. Kirtiman Singh, Senior Advocate with Mr. Ajay Singh, Mr. Amit Kumar, Mr. Vivek Kumar Singh, Mr. Animesh Mishra and Mr. Maulik Khurana, Advocates for D-6.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **13.05.2025**

1. Ms. Aakanksha Kaul, learned counsel appearing on behalf of the Plaintiffs submits that Plaintiffs would be leading evidence and it will be open to the Defendants to cross-examine the Plaintiffs' witness. She further submits that Plaintiffs have to examine only one witness who is 86 years of age and therefore, in the interest of justice and to expedite trial, a Local Commissioner be appointed to record evidence.
2. Mr. Kirtiman Singh, learned Senior Counsel for Defendant No. 6 submits that the Supreme Court vide order dated 05.03.2025 has already permitted the said Defendant to cross-examine the witness of the Plaintiffs. On instructions, he further submits that Defendant No.6 has no objection to appointment of a Local Commissioner.

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

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3. Accordingly, Ms. Archana Gaur, Advocate (Mobile No.9810082539) is appointed as Local Commissioner to record the evidence of the Plaintiff's witness including cross-examination. Considering the age of the witness, Local Commissioner is requested to make an endeavour to finish the evidence as expeditiously as possible.
4. Fee of the Local Commissioner is fixed at Rs.1 lakh, which shall be borne by the Plaintiffs.
5. Local Commissioner will fix the dates as per the mutual convenience of the parties, counsels and the Local Commissioner.
6. List on 05.08.2025.

JYOTI SINGH, J

MAY 13, 2025/RW