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

+ **CS(OS) 1239/2015**

DINESH MADAN

..... Plaintiff

Through: Mr.Shailendra Paul, Advocate

versus

ANIL MADAN & ANR

..... Defendants

Through: Mr.Jai Sahai Endlaw & Ms.Sonia Madan, Advocates for D-1.
Mr.Ashish Mohan & Mr.Mohit Kumar, Advocates for D-2.
Mr.Ankit Jain & Mr.Abhay Pratap Singh, Advocates for Ms.Bimla Madan.
Mr.Samit Khosla, Advocate for D-5.

+ **CS(OS) 626/2016**

ANIL MADAN

..... Plaintiff

Through: Mr.Jai Sahai Endlaw & Ms.Sonia Madan, Advocates

versus

DINESH MADAN & ORS

..... Defendants

Through: Mr.Shailendra Paul, Advocate for D-1
Mr.Ankit Jain & Mr.Abhay Pratap Singh, Advocates for D-2.
Mr.Ashish Mohan & Mr.Mohit Kumar, Advocates for D-3.
Mr.Akshay Malik, Advocate for D-4
Mr.U.D.Bhargava, Advocate for D-9

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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13.02.2020

I.A.1703/2020 (by defendant No.1 for appointment of court valuer) in CS(OS) 1239/2015

Issue notice. Learned counsel for the non-applicants accept notice.

Replies be filed within four weeks. Rejoinders thereto, if any, be filed within two weeks thereafter.

List on 13.07.2020.

I.A.2074/2020 (by the plaintiff for condonation of delay in filing reply on behalf of Mr.Anil Madan) in CS(OS) 626/2016

1. This is an application seeking condonation of delay in filing reply to the affidavit of Ms.Bimla Madan.
2. Issue notice. Learned counsel for the non-applicants accept notice.
3. For the reasons stated, delay is condoned. The affidavit of Mr.Anil Madan in response to the affidavit of Ms.Bimla Madan is taken on record.
4. The application stands disposed of.

CS(OS) 1239/2015 with I.A.9275/2015, I.A.13179/2016, I.A. 15101/2018, I.A. 8861/2019, I.A. 8862/2019 & I.A.10234/2019

CS(OS) 626/2016 with I.A.16022/2016, I.A.16023/2016, I.A.7064/2018, I.A.7261/2018, I.A.10576/2018, I.A.14593/2018, I.A.14594/2018, I.A.8144/2019, I.A.17557/2019 & O.A. 89/2018

1. Pursuant to the order dated 12.12.2019, the valuer appointed by this Court is in the process of valuing the seven properties enumerated therein. With regard to four properties (mentioned at serial Nos. (i) to (iv) of paragraph 5 of the order), copies of the title deeds have already been handed over to the valuer. However, inspection of one of the properties, i.e. E-15, Green Park Main, New Delhi-11016, by the valuer has not yet been carried out. Learned counsel for Mr.Anil Madan, who is admittedly in possession of the said property, undertakes that Mr.Anil Madan will cooperate in getting the valuation completed. The valuer will

visit the premises between 3:00 p.m. to 8:00 p.m. on any day after giving three days' notice to Ms.Sonia Madan, learned counsel who is on record on behalf of Mr.Anil Madan. Ms.Madan will communicate a copy of this order and her contact details to the valuer within three days from today.

2. With regard to the properties mentioned at serial no. (v) to (vii) of paragraph 5 of the order dated 12.12.2019, learned counsel for the parties state that they do not have any title documents or any other record relating to these three properties. The valuer is directed to report as to the feasibility and modalities of carrying out the valuation in these circumstances. He will also communicate to the parties if any other information is required in order to enable the valuation process to go on. The parties will cooperate with the valuer in this regard.

3. As far as the fees of the valuer is concerned, 50% share of four of the parties has been paid. Mr.Anil Madan has not yet paid any part of his share. He is directed to pay 50% of his share, i.e. ₹50,000/- within three weeks. Mr.Anil Madan will file an affidavit of compliance within four weeks from today.

4. Any replies to the pending applications be filed within four weeks. Rejoinders thereto, if any, be filed within two weeks thereafter.

5. List the suit and all pending applications on 13.07.2020.

PRATEEK JALAN, J

FEBRUARY 13, 2020/ 'hkaur'/s