

Rohini Rao vs. HIMUDA & another and connected matter

CWPs No. 516/2015 & 518/2015

18.05.2022 Present: Mr.Karan Singh Kanwar, Advocate, for the petitioner(s).

Mr. C. N. Singh, Advocate, for the respondent(s).

It would be noticed that the specific case of the petitioner(s) right from the beginning is that the flats as offered were to be completed on 09.07.2014, but, the same are not completed even as on date. Even as per the respondent(s) themselves, the tarring work of the road was completed only on 23.06.2015.

It is further contended by the learned counsel for the petitioner that there is no electrical fittings in the flat even as on date that was offered to the petitioner in *CWP No. 518 of 2015, titled as Anita Rao vs. HIMUDA* and this is the precise reason why the petitioner(s) in both these cases have not taken the possession.

The contention of the petitioner(s) was refuted by the learned counsel for the respondent(s), who, on instructions, states that the flats were ready in all respects in the year, 2014 itself, save and except, the tarring of the road, which admittedly was completed only on 23.06.2015. Therefore, the petitioner(s) are liable to pay the charges including the ward and watch charges.

Since, there is a dispute between the parties regarding the conditions of the flats itself, therefore, I deem it proper to appoint Local Commissioner, who shall ascertain the condition of the flats in both these cases, including the

electrical and other fittings of these premises by the next date of hearing.

Accordingly, Shri Rajat Chauhan, Law Officer, is appointed as Local Commissioner, who shall visit the premises on 21.05.2022 at 11:00 AM and thereafter furnish his report in the open Court on **25.05.2022**.

The fee of the Local Commissioner is fixed at Rs.10,000/-, which initially shall be paid by the HIMUDA, and later the same will depend on the report so furnished by the Local Commissioner.

(Tarlok Singh Chauhan)
Judge

May 18, 2022
(sanjeev)