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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO 118/2017 & C.M.9249/2017 (for stay)**

UMESH KUMAR Appellant

Through: Mr.V.P.Rana and Mr.Gaurang
Bindra, Advocates

versus

SAMAY SINGH Respondent

Through: Mr.R.S.Mahendra and Mr.Manish
Sharma, Advocates for Respondents
no.1, 3, 4 and 5.
Mr.H.P.Aditya, Adv. for LR's of R-2.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **24.07.2017**

1. Learned counsel for the respondent submits that for the present there is no intention of the respondent/defendant to transfer the suit property and if they seek to do so, they will do so with the permission of the trial court. This statement is acceptable to counsel for the appellant/plaintiff.

2. It is also agreed that evidence in this case will be completed within a year before the Local Commissioner to be appointed by this court and each of the parties will not take more than four opportunities to complete their evidence.

3. Accordingly, I appoint Mr. I.S. Sharma, Advocate Ch. No.508, Rohini Courts, Delhi-110085 Mobile No.9868013556 with the consent of the parties as Local Commissioner in this case and the cost

of the Local Commission proceedings is agreed to be borne by the appellant/plaintiff. The evidence will be conducted within the premises of the district court where the case is pending and it will be the responsibility of the appellant to ensure that a chamber space or any other space is provided in the court precincts to the Local Commissioner for recording evidence.

4. It is also agreed that the trial court will expedite the disposal of the suit and final hearing in the matter will be completed to the extent possible within a period of four months of the completion of recording of the evidence.

5. Appeal is accordingly disposed of in terms of the aforesaid consent order.

VALMIKI J. MEHTA, J

JULY 24, 2017

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