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

% *Date of decision: 13th August, 2024*

+ CM(M) 590/2023 & CM APPL. 17989/2023 & CM APPL. 22250/2023

BDR BUILDERS AND DEVELOPERS PRIVATE LIMITED

.....Petitioner

Through: Mr. Akhil Sachar with Mr. Sangam Singh, Mr. Sanjay Bansal and Mr. Kashish Maheshwari, Advocates.

versus

SH SHRICHAND BIJLANI

.....Respondent

Through: Mr. Madhvendra Singh, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. After hearing arguments for some time, learned counsel for petitioner submits that he would have no objection if the learned Trial Court is requested to consider the previous report filed by the learned Local Commissioner, the objections already filed by respondents herein and also consider the subsequent report submitted by the same Local Commissioner which is presently lying in the Court in a sealed cover.
2. He, however, states that he may be given liberty to file objections, if required, with respect to such new report of the Local Commissioner.
3. Learned counsel for the respondent has also no objection to the aforesaid proposal.



4. In view of the above, the present petition is disposed of with the directions that the learned Trial Court would consider the report of the Local Commissioner already on record, the objections filed by the respondent herein, the report of the Local Commissioner which is presently lying in the sealed cover.

5. Before taking any final decision in this regard, the parties would be at liberty to file fresh objections, if any, and it is expected that learned Trial Court consider the reports and the objections, if any, and pass appropriate order after hearing both the parties in accordance with law and also in accordance with the previous order passed by this Court on 04.06.2021 in CM (M) 8/2021.

6. The petition stands disposed of.

(MANOJ JAIN)
JUDGE

AUGUST 13, 2024/sw