

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 2998 of 2013 (O/M)
Date of decision : 6.10.2015

Jaswant Singh

..... Revisionist

Versus

Karnail Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. N.S. Malmajra, Advocate, for the revisionist.

Mr. Sunil Chadha, Senior Advocate, with,
Ms. Swati Verma, Advocate, for respondents.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

Impugned in the present revision is the order dated 30.1.2013 (Annexure-P-4), passed by the learned Civil Judge (Junior Division), Ludhiana, vide which the application of the present revisionist for appointment of revenue officer as a local commissioner for conducting demarcation of the disputed property, was dismissed.

I have heard the learned counsel for the parties and have also carefully gone through the file.

The lower Court has observed that the evidence of the plaintiff has been concluded and now the case was fixed for

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evidence of the defendant.

Some observations were made by this Court regarding the demarcation earlier done by the revenue officials. Therefore, the parties were directed to produce earlier two demarcation reports. The demarcation reports have been produced today and it go to show that both the demarcations were done at the instance of the present revisionist. The first demarcation was done on 12.1.2004. The present revisionist refused to sign on the same. The second demarcation was done on 25.7.2004.

The plea of the learned senior counsel for the respondents is that the defendant was not present at the time of said demarcation.

However, the plaintiff need not to be concerned about the presence of defendant. If the defendant has got any objection, it is for him to get the fresh demarcation done. However, in view of the fact that the plaintiff-revisionist has already got done the land demarcated twice, there is no ground for appointment of a local commissioner to get the demarcation done for the third time.

The present revision is accordingly dismissed.

(KULDIP SINGH)
JUDGE

6.10.2015
sjks