

CR NO. 39 OF 2015

Date of decision: 14.12.2015

Harbhajan Singh

.....Petitioner

versus**Mohinder Singh**

.....Respondent

Coram: Hon'ble Mr. Justice Arun Palli**Present:** Mr. R.K.Chauhan, Advocate
for the petitioner.Mr. Rupinder Banga, Advocate
for the respondent.**Arun Palli, J.(Oral)**

Vide order being assailed dated 21.11.2014, rendered by Civil Judge (Junior Division), Hoshiarpur, application moved by the petitioner/defendant to summon Naranjan Singh, Kanungo, by way of additional evidence, for the purpose of cross-examination had since been dismissed.

Concededly, it was not Naranjan Singh but Satnam Singh, Kanungo, who was appointed as a Local Commissioner by the court and after demarcation, who submitted his report as well . Therefore, ex-facie the application moved by the petitioner was misconceived.

Having argued the matter at some length, learned counsel for the petitioner submits that he be permitted to withdraw the revision petition so as to enable the petitioner to move a fresh application.

Learned counsel for the respondent submits that in case any such application is moved by the petitioner, the same be decided by the

court in accordance with law.

Dismissed as withdrawn. However, if the petitioner indeed makes any such application, to cross-examine Satnam Singh, Kanungo, who was appointed as a Local Commissioner, the same shall be decided by the court, strictly in accordance with law.

14th December, 2015

Shivani Kaushik

**[ARUN PALLI]
JUDGE**