

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Civil Revision No.6979 of 2015 (O&M)

Date of decision: 03.12.2015

Maan Singh

.....Petitioner

Versus

Davinder Pal Singh and others

.....Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Karan Singh Cheema, Advocate,
for the petitioner.

Ritu Bahri, J.

Challenge in this petition is to the order dated 25.05.2015 (Annexure P-4) passed by the Civil Judge (Junior Division), Dasuya, whereby application filed by JD-petitioner for appointment of Local Commissioner has been dismissed.

Learned counsel for the petitioner has placed on record report of Local Commissioner (Annexure A), which was prepared pursuant to the order dated 23.04.2009 passed by the Civil Judge (Junior Division), Dasuya, during the pendency of trial. This report was prepared by Patwari Halqa in the presence of respectable persons. The Local Commissioner had highlighted the encroachment in the map, which was prepared at the time of spot inspection and attached with the report. The Executing Court has to execute the decree as per report of the Local Commissioner.

After going through the impugned order, report of Local Commissioner (Annexure A) and the map, this Court is of the view that

there is no need to appoint a fresh Local Commissioner. No ground is made

out to interfere in the impugned order.

Dismissed.

However, it is clarified that at the time of giving possession to the Decree Holder, a revenue officer will visit the spot and comply with the report (Annexure A).

03.12.2015
ajp

(RITU BAHRI)
JUDGE