

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

(230)

**CR No.7430 of 2014 (O&M)
Decided on: May 1, 2015.**

Kulwant Singh

.... Petitioner

Versus

Surjit Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. S.K. Mahajan, Advocate,
for the petitioner.

M.M.S. BEDI, J (ORAL)

Proceedings against the respondents under Order 39 Rule 2-A CPC has been dismissed by the Courts below on the ground that the petitioner had failed to examine any person to establish that the respondents had changed the nature of the suit property by digging earth or raising construction after 10.10.2006.

Counsel for the petitioner refers to the photographs Annexures P-6 and P-7 to contend that the photographs are sufficient enough to establish the breach of the direction passed by the lower Court.

I have heard learned counsel for the petitioner and gone through the order passed by the Courts below.

Both the Courts below have considered the photographs and arrived at a conclusion that there was no sufficient material to establish the identity of the suit property, the petitioner having not been able to establish that the property depicted in the photographs was actually the suit property.

In view of above said findings passed by the Courts below, I do not find any ground to interfere in the order passed by the Courts below.

The revision petition is dismissed without prejudice to the right of the petitioner to avail any other legal remedy available to the petitioner against his grievance.

(M.M.S. BEDI)
JUDGE

May 1, 2015
harsha