

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

C.R. No.1939 of 2016
Date of Decision.05.08.2016

Ramphal and others

.....Petitioners

Vs.

Mohinder Singh

.....Respondent

Present: Mr. Jarnail S. Saneta, Advocate
for the petitioners.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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

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AMIT RAWAL J. (ORAL)

The petitioners-judgment debtors are aggrieved of the dismissal of their objections by the Executing Court qua the report of the Tehsildar regarding the demarcation, appointed in pursuance of the order passed by this Court for execution of the final decree.

Mr. Jarnail Singh Saneta, learned counsel for the petitioners submits that the report of the Tehsildar qua three *pacca* points is conjectural and therefore, it is incorrigible to believe the aforementioned report.

I have heard learned counsel for the petitioners, appraised the paper book and of the view that the local commissioner's report was consented by the petitioners as no objection had been raised. All the parties agreed to the same. The relevant portion of the report reads thus:-

“According to revenue record, it is found correct. All the present persons also agreed that the above three points are correct. So, in the presence of all the persons, according to

revenue record, demarcation of khasra No.74//6 measuring 0-3 marla had been done through 100 feet tap. Special Burji were prepared on all the corners of Killa No.74//6. In this way, during demarcation it is found that in North side of Khara No.74//6, house has been constructed in 6x27 feet by Sughan Chand s/o Ram Sarup and 27 x 27 feet by Ram Phal s/o Afla. As per revenue record for the year 2007, Harish Kumar and Rishi Parkash sons of Satya Narain s/o Purna has been shown owner in equal parts in Khewat No.282, Khasra No.74/6. Demarcation report is presented.”

I am of the view that objection to the above-mentioned report is nothing else but a tactic to delay the execution of the final decree. I do not find any illegality and perversity in the impugned order passed by the Court below. No ground for interference is made out. The revision petition is dismissed.

(AMIT RAWAL)
JUDGE

August 05, 2016
Pankaj*

Whether reasoned/speaking Yes

Whether reportable No