

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

Civil Revision No.6364 of 2016
Date of decision: November 23, 2016

Balwinder Kaur

...Petitioner

Versus

Gram Panchayat Village Wahid & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Munish Gupta, Advocate for the petitioner.

Rajan Gupta, J.

Present revision petition is directed against the order dated 4.8.2016, passed by Civil Judge (Jr. Division), Hoshiarpur, whereby application filed by petitioner for appointment of local commissioner for demarcating the suit property, has been dismissed.

Learned counsel has assailed the order. According to him, appointment of local commissioner would be helpful in resolving the issue as the dispute between the parties are with regard to identification of Khasra No.110, where the respondents have raised construction.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

It appears that a suit for permanent injunction and mandatory injunction was filed by plaintiff/petitioner to restrain the defendant/respondents from interfering in her peaceful possession of the suit

property and for directing the respondents to remove the encroachment upon the same, as described in the plaint. When suit was at the stage of plaintiff's evidence, instant application was moved by the plaintiff for appointment of a local commissioner. Trial court rejected the prayer observing that petitioner cannot take aid of a revenue expert to prove his version under the garb of appointment of local commissioner. I find no infirmity with the order passed by the court below.

Dismissed.

(RAJAN GUPTA)
JUDGE

November 23, 2016
'Rajpal'