

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CR No.8067 of 2016
Date of decision:30.11.2016

Manjit Kaur

... Petitioner

Vs.

Sapna Sharma and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Ms. Ravinder Kaur Manaise, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

Petitioner-defendant is aggrieved of the impugned order dated 01.11.2016, whereby, an application under Order 26 Rule 9 of Code of Civil Procedure, for appointment of the Local Commissioner in a suit for declaration filed by the plaintiffs seeking exclusive possession of the house, has been declined.

Ms. Ravinder Kaur Manaise, learned counsel for the petitioner submits that appointment of the Local Commissioner in the aforementioned suit is essential and necessary as she would be able to ascertain the existence of the shops and work run therein.

I am of the view that the aforementioned evidence could have been led when the defendants were leading evidence in affirmative but not in the manner and mode as indicated above. Moreover, contents of the application do not assign any reasons for which purpose it is required and it is only dilatory tactics.

In view of the aforementioned observations, no ground is made out for interference in the impugned order.

Accordingly, the revision petition stands dismissed.

(AMIT RAWAL)
JUDGE

November 30, 2016
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No