

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.1086 of 2017 (O&M)
Date of decision: 19.09.2017

Manmohan Singh

... Petitioner

Vs.

Vishnu Kumar

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. K.S. Rekhi, Advocate and
Mr. Satish Jaswal, Advocate
for the petitioner.

Mr. Ramneek Vasudeva, Advocate
for the respondent.

RAMESHWAR SINGH MALIK, J. (ORAL)

With the consent of learned counsel for the parties, date of hearing is ordered to be preponed from 01.11.2017 to today. Revision petition is taken on board for final disposal.

When the case came up for hearing on 26.07.2017, following order was passed by this Court: -

“There is a dispute between the parties as to whether the respondent-plaintiff has blocked the passage of the house of the petitioner by raising a pucca platform in the public street. To resolve this controversy, learned counsel for both the parties have prayed for appointing a Local Commissioner, so as to

ascertain the factual position obtaining at the site.

In view of the above, Shri Shub Karman, Advocate, is appointed as Local Commissioner, to visit the spot and furnish his self-contained report after inspection of the site. Learned Local Commissioner shall visit the site after due notice to both the parties through their counsel before this Court. Fees of the learned Local Commissioner is assessed as ₹30,000/-, which shall be paid by both the parties half and half. Learned counsel for both the parties shall also ensure that both the parties shall assist the learned Local Commissioner, to carry out the inspection at the site. The Executive Officer of Municipal Council, Ropar, is also directed to depute concerned Municipal official along with the relevant record, so as to assist the learned Local Commissioner, at the time of his visit at the site.

List on 22.08.2017.”

In compliance of the abovesaid order, learned Local Commissioner has submitted his report, including three photographs, which have been shown as Mark ‘A’ to Mark ‘C’. The report is taken on record as Mark ‘D’.

During the course of hearing, learned counsel for the petitioner has pointed out that Sub Divisional Magistrate, Rupnagar has passed the demolition order against the respondent and in view of said demolition order, he does not intend to press this revision petition any further. Having clear instructions from the petitioner, who is present in the Court, learned counsel

for the petitioner seeks permission of the Court to withdraw the present revision petition.

Permission is granted.

Dismissed as withdrawn.

CM No.19806-CII of 2017 is also disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

19.09.2017
vishnu

Whether speaking/reasoned Yes/No

Whether reportable Yes/No