

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

CR No.2011 of 2015

Date of Decision: 27.11.2017

Kamaljit Kaur

.....Petitioner

Versus

Jaswant Singh

... Respondent

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

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

Mr. Abhishek Singla, Advocate
for the respondent.

RAJ MOHAN SINGH, J.(ORAL)

[1]. Petitioner has assailed the order dated 26.11.2014 passed by Civil Judge (Junior Division), Bathinda vide which the application filed by the petitioner for allowing the plaintiff to summon Halqa Patwari along with site plan for identifying the land agreed to be sold by the defendant to the plaintiff vide agreement to sell dated 10.07.2010 was dismissed.

[2]. Concededly, there was no recital regarding khasra number, khewat, khatoni and jamabandi in the agreement to sell. The preparation of site plan for identifying the suit property by the Patwari would be a far fetched relief and the same will amount to collect evidence for the plaintiff with the process of the Court. In the absence of any jamabandi and description of the land in the revenue record, preparation of site plan by the

Patwari would be totally imaginary. The vagueness in the agreement to sell can be a ground for dismissal of the suit itself and the attempt made by the plaintiff for collecting evidence with the process of the Court cannot be endorsed.

[3]. No ground is made out to interfere in the impugned order dated 26.11.2014 passed by Civil Judge (Junior Division), Bathinda. The present revision petition is accordingly dismissed.

[4]. Nothing expressed hereinabove would be construed to be an expression of opinion on the merits of the case.

27.11.2017

prince

Whether Reasoned/Speaking

Whether Reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No