

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.1819 of 2017(O&M)
Date of Order: 12.10.2017

Gram Panchayat Khurampur

..Petitioner

Versus

Krishan Kumar and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Navneet Singh, Advocate,
for the petitioner.

Mr. Sarvesh Malik, Advocate for
Ms. Nupur Chaudhary, Advocate,
for the respondents.

ANIL KSHETARPAL, J (Oral)

Defendant-petitioner is in revision petition against the order passed by the trial Court appointing a Local Commissioner to visit the spot and submit a report regarding existing actual and factual position of the suit land.

Plaintiffs had filed a suit for permanent injunction claiming that they are owners in possession of the suit property since the time of its purchase. Plaintiff had also asserted that they had installed tubewell and constructed two pucca rooms in the suit land besides installing the transformers. In the present case, the Court felt that appointment of Local Commissioner is necessary to report regarding existing actual and factual position of the suit land.

I have heard counsel for the parties at length and with their able assistance gone through the documents available in the paper book.

In my considered opinion, the Court in the present case has exercised discretion, which is not shown to be perverse. If the Court has felt that a report of Local Commissioner is necessary for adjudication of the case, this Court would not like to interfere in the aforesaid discretion exercised unless it is proved to be perverse.

In these circumstances, this Court does not find any good ground to interfere with the order passed by the learned Additional Civil Judge (Sr. Division), Sonapat, dated 03.03.2017. The revision petition is dismissed.

October 12, 2017
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No