

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.4281 of 2017
Date of Decision:- 05.07.2017

Harbans Lal

.....Petitioner

Versus

Dharma

.....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Jagmeet Singh Moudgill, Advocate
for the petitioner.

RITU BAHRI, J. (Oral)

Challenge in this petition is to the order dated 25.04.2017 (Annexure P-4) passed by the Additional Civil Judge (Senior Division), Dhuri, whereby application filed by the plaintiff-petitioner for appointment of Local Commissioner has been dismissed.

Relevant facts of the case are that the petitioner-plaintiff has filed a suit for permanent injunction restraining the respondent-defendant from breaking the wall of the house of the petitioner and further restraining from putting any iron (*gadar*) on the wall of the petitioner.

Perusal of the record shows that an application has been filed by petitioner for appointment of local commissioner to determine the actual and factual position of the wall in dispute. The said application

has been dismissed by the trial Court, vide impugned order dated 25.04.2017 by observing that the same has been filed to determine this fact from the local commissioner that who is owner of the wall and the local commissioner cannot be appointed to collect evidence for the said purpose.

After hearing the learned counsel for the petitioner, going through the record, this Court is of the view that the application has rightly been dismissed by the trial Court and does not call for any interference. No ground is made out to interfere in the impugned order.

Dismissed.

July 05, 2017
naresh.k

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No