

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

CR No.5867 of 2017

Date of decision : 27.10.2017

Rajinder

...Petitioner

Versus

Pirithi and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Suryakant Gautam, Advocate for the petitioner.

Mr. Naresh Kumar, Advocate for respondent Nos.1 to 7.

ANIL KSHETARPAL, J. (ORAL)

Plaintiff-petitioner is in revision petition against the order dated 20.05.2017 closing the evidence of the plaintiff.

Learned counsel for the petitioner has drawn attention of this Court to the application (Annexure P-1) filed before the trial Court for directing Special Kanungo to prepare the excerpt so as to prove that the land is ancestral in nature. The aforesaid application was allowed by the Civil Judge on 20.01.2017.

As per the provisions made in Chapter 9 of Volume I of Punjab and Haryana High Court Rules and Orders, the services of the Special Kanungo/Patwari Moharrir can be used for the purpose of preparing the information contained in the revenue records accessible to the litigant public. Application under this provision was made. However, the Court

without waiting for the excerpt chose to close the evidence.

Taking into consideration the aforesaid facts, the order under challenge is set aside.

Revision petition is allowed.

The learned Civil Judge would issue directions to the Special Kanungo to prepare the excerpt and produce it before the trial Court within a period of one month from today. On such production, the trial Court would proceed in accordance with law.

27.10.2017

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No