

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

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**CR No.6655 of 2017
Date of decision: 27.09.2017**

Tejbir Singh

..... Petitioner

Versus

Gurmej Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. R.K. Arya, Advocate
for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

Defendant-petitioner is in revision petition against the order dismissing the application under Order 26 Rule 9, CPC for appointment of the Local Commissioner.

Two Division Benches of this Court in the case reported as Smt. Harvinder Kaur and another Vs. Godha Ram and another, 1979, PLJ, 562 and Pritam Singh and another Vs. Sunder Lal and others, 1990(2) PLR 191 have held that the revision petition against dismissal of application under Order 26 Rule 9, CPC for appointment of the Local Commissioner is not maintainable. First judgment is before amendment in Code of Civil Procedure in the year 1976 and second judgment is after the amendment in CPC in the year 1976.

In view thereof, the revision petition is not maintainable.

Revision petition is dismissed.

27.09.2017

Dinesh Bansal

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No