

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

CR No.1875 of 2018
Date of decision: 07.05.2018

Rajinder Singh

... Petitioner

Versus

Sadhu Singh (deceased) through LRs and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Sunil Agnihotri, Advocate for the petitioner.

ARUN PALLI, J. (Oral)

The petitioner happens to be a Judgment Debtor and is aggrieved by an order dated 03.02.2018, vide which the Civil Judge (Jr. Divn.), Dasuya has appointed a Local Commissioner to visit the spot and prepare kurras according to the preliminary decree.

Concededly, a preliminary decree for partition between the parties has since been passed on 07.08.2015. It is not disputed either that the said decree has attained finality, for the appeal filed by the petitioner against the said decree has since been dismissed. Needless to assert, the trial court appointed a Commissioner solely with a view to ascertain the precise position as it exists at the spot and prepare kurras so as to pass the final decree. Further, the Commission is appointed by the Court for the purpose of elucidating the matter in issue and to reach a just and fair decision in the matter. Apparently, the order that is being assailed does not cause any prejudice to the petitioner.

In conspectus of the above, no ground is made out to interfere in exercise of revisional jurisdiction under Article 227 of the Constitution of India. The petition being devoid of merit is accordingly dismissed.

07.05.2018
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES
NO