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

**Civil Revision No.2986 of 2018
Date of Decision: 11.07.2018**

KARAMJIT KAUR

.....Petitioner

Vs

PARVINDER SINGH

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. J.S. Jaidka, Advocate
for the petitioner.

Ms. Sukhdeep Kaur, Advocate
for the respondent.

RAJ MOHAN SINGH, J. (Oral)

This revision petition has been preferred against the order dated 24.04.2018 passed by the Civil Judge (Jr. Divn.) Kharar whereby the application filed by the plaintiff for appointment of Local Commissioner was allowed.

Learned counsel for the petitioner vehemently submitted that the indulgence granted by the trial Court by allowing the application for appointment of Local Commissioner amounts to collection of evidence on behalf of the plaintiff with the process of the Court.

I have considered the submissions made by learned

counsel for the parties.

In **Rajinder & Co. vs. Union of India and others, 2003(1) RCR (Civil) 755**, the Hon'ble Apex Court has held that the question whether the report of the Local Commissioner is finally acceptable or not would be decided by the concerned Court, *de hors* the order passed by the authority concerned. The High Court cannot interfere with the order of the trial Court appointing the Local Commissioner for inspection of the site and to file a report. The said judgment was followed by this Court in **Harpal Singh vs. Harmohinder Singh and others, 2013(2) RCR (Civil) 892**.

Since the evidentiary value of the report of Local Commissioner would be the subject matter of appreciation by the trial Court at the relevant stage, therefore, I deem it appropriate not to interfere in the impugned order in view of ratio as held by the Hon'ble Apex Court in **Rajinder & Co.'s** case (*supra*). This revision petition is accordingly dismissed.

July 11, 2018

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No