

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR 3268-2018 (O&M)
Date of decision: 16.05.2018

Baldev Singh

.....Petitioner

versus

Tarsem Singh and another

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldeep Singh

Present: Mr.Rajesh K. Dadwal, Advocate for the petitioner

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldeep Singh, J. (Oral)

Heard.

Petitioner has impugned the order (Annexure P7) and (Annexure P8) dated 17.4.2018 passed by learned Additional Civil Judge (Senior Division), Mukerian, vide which, Local Commissioner was ordered to be appointed for demarcation and additional evidence was allowed to tender the copy of the Jamabandi of the year 2014-15, Shijra Aks and Khasra Girdawari.

It comes out that the case was fixed for arguments when the application was moved by the plaintiff for appointment of Local Commissioner. Trial Court took the view that it is a case of alleged encroachment and report of the revenue official about the encroachment will help the Court in proper adjudication of the case. Hence, application was allowed.

I am of the view that once, the trial Court found that it is a case

of alleged encroachment and the report of the Kanungo will help the Court in arriving at proper adjudication, there is no ground to interfere in the same.

Vide second order of the same date, an application for leading additional evidence to produce copy of Jamabandi for the year 2014-15, Shijra Aks and Khasra Girdawari was allowed. The said documents were already on file and have been merely allowed to be exhibited. This is the revenue record and was already on file.

Therefore, there is no illegality or infirmity in both the orders. Consequently, the present revision petition is dismissed.

16.05.2018

gk

(Kuldip Singh)

Judge

Whether speaking/ reasoned:

Yes

Whether Reportable:

No