

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CR-4518-2018

Date of decision : 18.07.2018

Mehnga Singh

... Petitioner

Versus

Hazara Singh and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Naveen Batra, Advocate
for the petitioner.

AMOL RATTAN SINGH, J.(ORAL)

The petitioner herein challenges the order of the learned 'executing Court' (Additional Civil Judge (Sr.Div.), Garhshankar), dated 08.05.2018, by which a local Commissioner has been appointed to demarcate the suit property and to report whether the suit property is constituted in "khasra no.3222/2522 etc.".

The issue that arises in the execution proceedings is whether or not encroachment has been made upon the suit property after the decree of the civil Court and construction erected thereon.

Both, the suit and the counter claim, were decreed by the learned Additional Civil Judge (Sr.Div.), Garhshankar, vide a judgment and decree dated March 29, 2017.

There being an issue as to whether any encroachment has been made on the land of the respondents or whether the present petitioner has constructed within his own property, I see no infirmity in the impugned

purpose of demarcation, it being the best method of determining the question.

Consequently, this petition is dismissed, with the observation that, naturally, the demarcation would be limited to the suit properties alone as were subject matter of the judgment and decree dated March 29, 2017.

(AMOL RATTAN SINGH)
JUDGE

July 18, 2018.
D.K.

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No