

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

**CR No.6127 of 2016 (O&M)
Date of decision : February 23, 2018**

Vijay Kumar Gupta

..... Petitioner

Versus

Shivam

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. V.K. Jindal, Sr. Advocate with
Ms. Janya Sirohi, Advocate for the petitioner.

Mr. Deepak Sharma, Advocate for the respondent.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Impugned in the present revision petition is the order dated 07.09.2016 (Annexure P-12) passed by learned Civil Judge (Jr. Divn.), Karnal, vide which the application filed by the respondent under Order XXVI, Rule 9 CPC, 1908, for appointment of Local Commissioner has been allowed as Local Commissioner to demarcate the land in question.

After arguing for some time, learned counsel for the petitioner has stated that the petitioner has no objection to the appointment of the Local Commissioner as done by the trial Court. His only grouse is that keeping in view the fact that according to him defendant is politically influential, therefore, Local Commissioner should act under the supervision of any higher authority i.e. Addl. Deputy Commissioner or Deputy Commissioner of the District .

I am of the view that since there are no allegations of partiality against the Tehsildar and only prayer is for conducting the

demarcation by Tehsildar, under the supervision of superior officer. Therefore, the petitioner is given liberty to approach the trial court to seek appropriate direction in this regard. It is for the trial Court to decide as to whether the demarcation to be conducted under the supervision of any authority and if so, which authority.

As such, the present revision petition is disposed of.

(KULDIP SINGH)
JUDGE

February 23, 2018

sarita

Whether speaking / reasoned Yes

Whether Reportable: No