

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CR No. 6882 of 2018

Date of Decision: 27.11.2018

Baljit Singh

.....Petitioner

Vs.

Dial Kaur @ Gurdial Kaur

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Ashok Singla, Advocate,  
for the petitioner.

Mr. D.S. Gaura, Advocate,  
for the respondent.

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**AMOL RATTAN SINGH, J. (ORAL)**

By this petition, the petitioner challenges the orders of the learned Civil Judge (Junior Division), Patiala, dated 22.05.2018 and 25.09.2018 (Annexure P-2 and P-4, respectively), whereby the objections filed by the petitioner under Section 47 of the CPC have been dismissed.

The whole dispute is with regard to measurement of '*Khasra*' no. 1842, with learned counsel for the petitioner having pointed out that in the reply to the objections filed by the petitioner, the respondent has taken a stand that some part of '*Khasra*' no. 1842 overlapped with '*Khasra*' no. 1843, the parties to the *lis* being otherwise *ad idem* that the petitioner is the owner in possession of '*Khasra*' no. 1843, with the respondent being the owner in possession of '*Khasra*' no. 1842.

Consequently, this petition is disposed of with a direction to the trial Court to ensure that for proper demarcation of the property, a revenue official is

ordered to be appointed as a Local Commissioner, who would demarcate the properties, i.e. '*Khasra*' nos. 1842 and 1843, to ensure that neither side is deprived of anything less than their ownership over the respective '*Khasra*' numbers owned by them, and the other side is not given anything more than what is their ownership over their respective '*Khasra*' numbers.

The said demarcation be got conducted by the executing Court within a period of one month from today.

The impugned order, Annexure P-7, is kept in abeyance till the demarcation is done and would be given effect to in favour of the respondent-decree holder as regards '*Khasra*' no. 1842, in terms of the demarcation to be made.

Thus, after the demarcation is duly conducted, showing the boundaries of '*Khasra*' numbers 1842 and 1843 as per revenue record, thereafter, naturally, the respondent decree-holder would be entitled to execution of the decree as regards '*Khasra*' no. 1842 only.

**November 27, 2018**  
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**(AMOL RATTAN SINGH)**  
**JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

Yes