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

CR No.8129 of 2018(O&M)
Date of Decision: 30.11.2018

Bahadur Singh **...** Petitioner

Vs

Joginder Singh and another ... Respondents

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

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

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**RAJ MOHAN SINGH, J. (ORAL)**

[1]. CR No.6416 of 2017 was disposed of by this Court on 03.11.2017. While passing the aforesaid order, it was recorded that the grievance of the petitioner was not only to the extent of not deciding his application by the trial Court, but was also in respect of not doing the demarcation by the Local Commissioner by taking recourse to laser technology under the supervision of the Tehsildar as ordered by Additional Civil Judge (Senior Division), Sangrur vide order dated 10.04.2017. While deciding the aforesaid civil revision, order dated 06.09.2017 passed by Civil Judge (Junior Division), Sangrur was modified in consonance with the earlier order dated 10.04.2017 and it was directed that the demarcation be done strictly in accordance

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with law i.e. in consonance with the order dated 10.04.2017 passed by Additional Civil Judge (Senior Division), Sangrur.

[2]. Perusal of the order dated 10.04.2017 passed by Additional Civil Judge (Senior Division), Sangrur would show that fresh demarcation was to be made by the Tehsildar and he was at liberty to get it done under his supervision and to get the same conducted by taking utilization of laser technology. Demarcation by means of laser technology has been done on 27.05.2018 to which objections have been filed by the petitioner that in fact, Satish Kumar, Engineer was not present on 27.05.2018 and in his absence, no such demarcation could have been conducted. The objections filed by the petitioner appear to be intended to enlarge the scope of litigation.

[3]. Order dated 10.04.2017 passed by Additional Civil Judge (Senior Division), Sangrur is categoric in nature that the fresh demarcation was to be made by the Tehsildar and he was authorized to get it done under his supervision i.e. to get the same conducted by taking utilization of laser technology

[4]. Keeping in view the past litigation between the parties, wherein number of attempts have already been made for demarcating the property in question, I deem it appropriate not to allow any further probe in the issue. The issue in respect of demarcation will not decide any substantial right between the

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parties as the report is subject to legal criticism. Petitioner would be in his right to lead his substantial evidence in order to uproot the report in accordance with law.

[5]. Dismissed.

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**(RAJ MOHAN SINGH)**
**JUDGE**

Whether reasoned/speaking Yes/No

Whether reportable Yes/No

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