

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

**CR-831-2018 (O&M)
Date of decision : 8.2.2018**

Lakhwinder Singh

..... Petitioner

Versus

Kashmir Kaur and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Ms. Himani Kapila, Advocate for the petitioner.

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 7.11.2017 (Annexure P-4) passed by learned Judicial Magistrate Ist Class cum Civil Judge (Junior Division), Gurdaspur, wherein an application was filed by defendant-petitioner for appointment of Local Commissioner to demarcate *Killa No. 12/2/1* and submit report regarding actual and factual position of the spot and also report whether area of four marla adjoins the house and haveli of respondent or not. The claim is that said four marla has been forcibly amalgamated in the house and haveli of the plaintiff-respondent. Learned trial Court has declined the said application on the ground that case is still at the stage of evidence of the plaintiff-respondent and turn of defendant-petitioner is yet to come.

It being so, application for appointment of Local Commissioner is premature.

In view of above, present revision petition is disposed of with liberty to the defendant-petitioner to file application for appointment of Local Commissioner at the stage of his evidence. If such application is filed, same shall be considered and decided on merits, without being influenced by the fact that earlier application was disposed of by way of impugned order.

(KULDIP SINGH)
JUDGE

8.2.2018
preeti

Whether speaking / reasoned	Yes
Whether Reportable:	No