

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

**CR No.8902 of 2017 (O&M)
Date of decision : March 14, 2018**

Pritam Singh

..... Petitioner

Versus

Mewa Singh

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Sahil Kaushal, 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 14.08.2017 passed by learned Addl. District Judge, Ludhiana, vide which in an application filed under Order XXXIX, Rule 1 and 2 read with Section 151 CPC, the impugned order dated 28.11.2014 was modified to the extent that he will not operate against land measuring 0 kanal, 3 marlas detailed in the head note of the plaint.

Heard.

It comes out from the case of the plaintiff that the defendant has planted poplar trees in the said land, measuring 3 marlas and that defendant No.1 has illegally and forcibly distributed the peaceful possession of the plaintiff. The trial Court considering the pleadings modified the said order.

Learned counsel for the petitioner states that the said averment was made inadvertently, whereas the plaintiff is also in possession of the said land measuring 3 marlas.

I am of the view that the petitioner cannot be allowed to be travelled beyond the scope of pleadings. There is no illegality or infirmity in the impugned order.

As such, the present revision petition is dismissed. The connected pending application, if any, stands disposed of.

(KULDIP SINGH)
JUDGE

March 14, 2018

sarita

Whether speaking / reasoned Yes

Whether Reportable: No