

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA-2165-2013 (O & M)
Date of Decision: 15.12.2018

Surat Singh and others

... Appellants

Versus

Sandeep Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Satinder Khanna, Advocate
for the appellants.

Mr.D.K.Bhatti, Advocate
for the respondents.

ANIL KSHETARPAL, J.

Defendants-appellants are in the regular second appeal against concurrent findings of fact arrived at by the Courts below.

Dispute in the present case is with regard to the alleged unauthorised encroachment of land belonging to the plaintiffs.

After arguing the case at length, learned counsel for the parties have arrived at a consensus, it has been agreed that the land would be once again demarcated with the help of theodolite (total station machine) a GPS based machine. Parties would be entitled to give suggestions, however, no objections to the report would be entertained. Both the parties would be entitled to move an application before the Tehsildar who would appoint an experienced revenue official accompanied by concerned Patwari of the area along with entire revenue record required for carrying out demarcation. The

fee of the official appointed to demarcate the area shall at the first instance

be paid by the appellants and thereafter, whosoever is found in unauthorised occupation, they shall be liable to pay the amount. Let demarcation be carried out within two months from the date of receipt of certified copy of order.

The demarcation shall be carried out after serving notice on both the parties through registered post and if one party avoids to receive notice, the concerned official who had been appointed for carrying out demarcation shall be entitled to go ahead.

Appeal disposed of.

15.12.2018
anju

(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes

Whether Reportable : No