

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

CWP No.9898 of 2019

Date of Decision : 10.09.2019

Sukhvir Singh Dagar

....Petitioner

Versus

Registrar General Punjab & Haryana High Court
Chandigarh and others

...Respondents

CORAM : HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

...

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

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks Mandamus for directing the respondents to implement the list dated 22.11.2018 appended as Annexure P-2 i.e. list of eligible Advocates on the panel of Commissioners for recording evidence in terms of Order 18 Rule 4(2) of the Code of Civil Procedure, 1908 at Palwal Sessions Division.

The entire case projected by the petitioner is that in terms of the provisions contained in Volume-I, Chapter 10 the Punjab and Haryana High Court Rules, applications had been invited from the Members of the Bar of Palwal Sessions Division for appointment of Commissioners for recording of evidence and the same were duly forwarded to the High Court. Vide list dated 22.11.2018 (Annexure P-2), the Registrar General of the High Court sent the list of Advocates to the District and Sessions Judge, Palwal for being impanelled as Commissioners for recording evidence.

Precise grievance raised in the instant petition is that rather

than implementing and operating the list dated 22.10.2018 (Annexure P-2), the District and Sessions Judge is choosing to operate the previous list dated 25.02.2014 (Annexure P-1) and which has already outlived its term.

Contention raised by counsel was that certain Members of the Bar whose names are reflected in the previous list dated 25.02.2014 (Annexure P-1) and do not find mention in the subsequent list dated 22.11.2018 (Annexure P-2) are being permitted to function as Commissioner for recording evidence at Palwal Sessions Division.

Such submission is not substantiated in terms of any averments in the writ petition.

In the absence of necessary pleadings in such regard, the submission advanced by counsel can only be seen as misconceived and not well founded.

There is no merit in the writ petition and the same is dismissed.

10.09.2019
dss

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No