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

CR No. 4423 of 2019 (O&M)
Date of Decision: 18.07.2019

Joginder Singh

-Petitioner

Vs

Kulwant Singh and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Kanwar Pahul Singh, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (ORAL)

Petitioner has assailed the order dated 23.05.2019 passed by Civil Judge (Junior Division), Amritsar vide which prayer in terms of Order 26 Rule 9 CPC for appointment of Local Commissioner was allowed.

In view of law laid down in **Rajinder and Co. Vs. Union of India and others, 2003(1) RCR (Civil) 755** and followed by this Court in **Harpal Singh Vs. Harmohinder Singh and others, 2013(2) RCR (Civil) 892** and **Civil Revision No.8188 of 2017 titled 'Paramjit Kaur vs Harcharan Singh and others' decided on 24.11.2017,** revision against such an order is not maintainable as no substantial right of the petitioner has been decided by the Court.

Petitioner would be at liberty to file objections to the report of Local Commissioner and in the event of doing so, the trial Court shall decide the same in accordance with law. The report of Local Commissioner has to be finally accepted or declined by the Court at an appropriate stage.

This Court cannot interfere with such order appointing Local Commissioner for inspection of the site.

Petitioner would be at liberty to avail his legal remedies in accordance with law at appropriate stage.

This revision petition is accordingly, dismissed.

18.07.2019
Jyoti Yadav

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No