

CR No.5822 of 2019

Date of Decision: 17.9.2019

Vijay Kumar

.....Petitioner

Versus

Phool Chand and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. J.P. Sharma, Advocate, for the petitioner.

NIRMALJIT KAUR, J. (ORAL)

The present revision petition is filed against the order dated 3.7.2019, vide which, application under Order 26 Rule 9 CPC for appointment of the Local Commissioner was allowed.

While praying for setting aside the aforesaid order, learned counsel for the petitioner submitted that possession is to be proved by way of his evidence, therefore, the appointment of Local Commissioner is not required.

However, the stand of petitioner is opposed by alleging that in fact the petitioner-plaintiff is in possession of Khasra No.47/22, whereas, in the plaint he has said that he is not in possession of Khasra No.47/24. Thus, the order of appointment of a Revenue Officer as Local Commissioner, who is expert to demarcate and ascertain the truth cannot be faulted with.

Demarcation be carried out in accordance with law.

Dismissed accordingly.

(NIRMALJIT KAUR)
JUDGE

17.9.2019

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Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No