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

CR No. 6342 of 2019

Date of Decision: 04.10.2019

Virender and others

-Petitioners

Vs

Bhom Singh

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Amit Kumar Jain, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (ORAL)

Petitioners have preferred this revision petition against the order dated 20.09.2019 passed by Civil Judge (Junior Division), Gurugram vide which the application filed by the plaintiff-respondent under Order 26 Rule 9 CPC for appointment of local Commissioner was accepted.

In view of laid down in **Rajinder and Co. Vs. Union of India and others, 2003(1) RCR (Civil) 755**, the order granting permission to appoint local Commissioner is not revisable.

The question whether the report of local Commissioner is finally acceptable or not, would be decided by the concerned Court on the basis of objections filed by the petitioners.

The said decision would be made *de hors* the order passed by the authority.

The High Court cannot interfere with the order appointing local Commissioner for inspection of site.

The aforesaid view has been followed by this Court in subsequent case **Harpal Singh Vs. Harmohinder Singh and others, 2013(2) RCR (Civil) 892.**

For the reasons recorded hereinabove, I find no error of jurisdiction in the impugned order.

This revision petition is accordingly, dismissed.

04.10.2019
Jyoti Yadav

(RAJ MOHAN SINGH)
JUDGE

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