

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

C.R No.1548 of 2020 (O&M)

Date of Decision: 03.03.2020

Municipal Corporation, Amritsar

..... Petitioner

Versus

Daljit Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPALPresent: Mr.V.K.Sandhir, Advocate,
for the petitioner.

* * * *

ANIL KSHETARPAL, J. (Oral)

The defendant-Municipal Corporation has filed the present revision petition against the order passed by learned trial Court appointing a local Commissioner to visit the spot and prepare a detailed report. The plaintiff claims that defendant-Corporation continues in possession whereas defendant-Corporation claims that they have already handed over vacant possession of the property to the plaintiff in the year 2015. Since this dispute can be resolved by getting a fact finding report, therefore, the learned trial Court, in exercise of its discretionary power, has appointed a local Commissioner.

Learned counsel for the petitioner has submitted that such local Commissioner has been appointed to collect evidence, which cannot be permitted.

This Court has considered the submission. However, finds no

substance therein. While deciding a rent petition, the Rent Controller is entitled to know the exact position. Such position can be ascertained only on appointing a Local Commissioner. The appointment of such Local Commissioner cannot be treated to be an effort to collect evidence only. All the Courts have been constituted to do substantive justice between the parties. In order to achieve this goal, various powers have been given to the Courts to advance the cause of justice.

Hence, there is no ground to interfere.

Revision petition stands dismissed accordingly.

All the pending misc. applications, if any, are disposed of in view of the above said judgment passed.

3rd March, 2020
P.Seth

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No