

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

CR-3192-2021 (O&M)

Date of decision: 09.12.2021

Nihal Singh

...Petitioner

Versus

Kultaj Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vikrant Rana, Advocate for the petitioner

ANIL KSHETARPAL, J (Oral)

Learned trial court in the facts of the case has directed the Junior Engineer, PWD (B&R), Charki Dadri, to visit the spot after giving prior notice to both the parties and to inspect the premises and make his report regarding the age of construction of the house building. Learned counsel representing the petitioner contends that the court cannot appoint a Local Commissioner to collect the evidence.

The Presiding Judge of the court in order to decide the case is required to be equipped with all necessary information. The Civil Procedure Code, 1908, permits the court to get the local investigation carried out by appointing a Local Commissioner. Such order does not amount to collection of evidence on behalf of a party.

Hence, no ground to interfere is made out.

Dismissed.

09.12.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE