

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

CR-1508-2019 (O&M)

Date of decision : May 31, 2022

Joginder Singh

..... Petitioner

Versus

Dharam Singh and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. R.S. Dhaliwal, Advocate for the petitioner.

Mr. Dushyant Bhardwaj, Advocate for respondent Nos.1 and 2.

ANIL KSHETARPAL J. (ORAL)

The petitioner before this Court is plaintiff No.4 in a suit for grant of decree of permanent injunction restraining the defendants from interfering in the passage and possession of the plaintiff. During the pendency of the suit, the Court has appointed a Local Commissioner to carry out the investigation and submit a report.

Learned counsel representing the petitioner contends that a previous application filed for appointment of the Local Commissioner was dismissed on 02.12.2016, therefore, second application is not maintainable. It is evident that the trial Court was conscious of the aforesaid fact and has given valid reasons to appoint a new Local Commissioner so as to ascertain the current status of the suit property. The order was passed after a period of three years from the date on which the previous application was rejected. These orders are passed by the Court in order to adjudicate the dispute between the parties in a proper manner. Such order passed by the Court, on an earlier occasion, would not debar the Court from considering the request

made after a sufficient time. Hence, no ground to interfere is made out.

Dismissed.

(ANIL KSHETARPAL)
JUDGE

May 31, 2022

sarita

Whether speaking / reasoned

Whether Reportable:

Yes / No

Yes / No