

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

118

CR-2364-2020 (O&M)
Date of Order: 20.04.2022

Varinder

..Petitioner

Versus

Mewa Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Abhinav Sood, Advocate, for
Mr. Vikram Singh, Advocate
for the petitioner.

ANIL KSHETARPAL, J(Oral)

The petitioner assails the correctness of the order passed by the Civil Judge(Junior Division), Karnal, passed on 30.09.2020, whereby the application filed under Order 26 Rule 9 of the Civil Procedure Code, 1908, for appointment of the Local Commissioner, to demarcate the suit land, has been dismissed. Two different Division Benches of this Court in **Rajender Prasad vs. Santosh Kumar and others' 1979 PLJ 562** and **'Malkiat Singh vs. Narinder Singh and another' 1990 (2) PLR 191** have already opined that such order is not open to be challenged in a revision petition. While filing the appeal against the main judgment, the petitioner has a remedy of challenging the order in accordance with Order 43 Rule 1-A of the Civil Procedure Code, 1908.

Disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

April 20, 2022

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**(ANIL KSHETARPAL)
JUDGE**

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