

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

101

**Civil Revision-3055-2021
Date of decision:21.02.2022**

BALWINDER SINGH

...Petitioner

Versus

BAKSHISH SINGH AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Chaman Lal Sharma, Advocate
for the petitioner.**

ANIL KSHETARPAL, J (Oral)

The Judgment Debtor assails the correctness of the orders dated 28.11.2019 and 13.09.2021 passed by the Civil Judge (Jr. Divn.), Jalandhar and the Additional District Judge, Jalandhar, while dismissing the objection petition, questioning the report of demarcation.

In the present case, the Decree Holder filed a suit for passing a decree with respect to possession of land measuring 3 karams x14 karams on the northern side of Rect. No.53, khasra no.3/2, shown in the red colour in the layout plan by removing the wall. The suit was decreed on 13.12.2011, whereas the first appeal was disposed of on 04.09.2014.

The decree holder filed execution petition on 16.12.2014. A senior revenue official has demarcated the area and the Executing Court has issued the warrant of possession. The Executing Court while dismissing the objection petition has noted that there is no merit in the objection petition.

The court has also found that the demarcation has been carried out in accordance with the rules.

The learned counsel representing the petitioner contends that the demarcation has been carried out at his back. The Executing Court has noticed that the petitioner was present and his presence is recorded in the presence sheet, however, he refused to sign.

The petitioner does not assert that the Tehsildar, a revenue official, was entertaining any bias against the petitioner.

The learned counsel representing the petitioner contends that the demarcation was carried out without determining the pucca point. The Executing Court after going through the report, has held that the pucca point was fixed by the Local Commissioner before demarcating the suit property. Such finding arrived at by the Executing Court is not shown to be erroneous.

Hence, no ground to interfere with the impugned order, is made out.

Dismissed.

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

February 21, 2022
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No