

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

**CR-3045-2021 (O&M)**

Date of decision: 15.02.2022

Balbir Kaur

...Petitioner

Versus

Master Simranjit Singh minor through his partner/natural guardian  
S.Harjinder Singh and others

..Respondents

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Divanshu Jain, Advocate for the petitioner

Mr. Vikram Dutt, Advocate for

Mr. Naveen Bawa, Advocate for respondent no.2

**ANIL KSHETARPAL, J (Oral)**

Vide an impugned order the Civil Court has set aside the reports submitted by the Local Commissioner after it was objected to by the respondent. Learned counsel representing the petitioner contends that there is no provision for inviting any objection to the report of Local Commissioner. He submits that in any case, if the objections have been filed, the court can summon the Local Commissioner and examine him on oath, while granting an opportunity to the parties to cross examine the Local Commissioner. He relies upon the judgment passed by the Division Bench of this Court rendered in **Balbir Dewan Cold Storage and General Mills vs. Naveen Chander 1989 (1) PLR 677**, to corroborate his arguments.

Learned counsel representing the respondent has failed to draw the attention of the Court to any different view on the subject.

Keeping in view the aforesaid facts, the order under challenge is set aside. The civil court is requested to pass a fresh order

after taking note of the law laid down by the Division Bench of this Court in the case of **Balbir Dewan Cold Storage and General Mills** (supra).

Disposed of.

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

15.02.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)  
JUDGE