

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

**CR No. 172 of 2023
Date of decision: 27.02.2023**

Chajju Ram Petitioner.

Versus

Punjab State Power Corporation Ltd. and others Respondents.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Naveen Batra, Advocate, for the petitioner.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the order dated 11.11.2022 (Annexure P-5) passed by the Civil Judge (Junior Division), Nangal, whereby his application for appointment of the local commissioner has been rejected.

Learned counsel for the petitioner submits that it was necessary for the trial Court to appoint a revenue officer as local commissioner to carry out the demarcation of the land in dispute. He also submits that only a revenue official could carry out proper demarcation of the land in dispute, as the respondents/defendants are stated to have installed electric poles in the land of the petitioner/plaintiff.

Heard.

The petitioner/plaintiff had filed a suit seeking a relief of declaration to the effect that the electric poles erected by the respondents/defendants over the land/property of the petitioner/plaintiff are illegal, without notice/consent of the petitioner/plaintiff and the same are liable to be removed from his property besides a relief of permanent

injunction restraining the respondents/defendants to remove the tress therefrom with a consequential relief of mandatory injunction directing the respondents/defendants to pay adequate compensation. A local commissioner had earlier been appointed at the request of the petitioner/plaintiff himself who had submitted his report. The petitioner/plaintiff did not raise any objection at that time to the appointment of the local commissioner that only a revenue official should have been deputed to carry out the demarcation. Therefore, I do not find any infirmity in the impugned order dated 11.11.2022 (Annexure P-5) whereby second application preferred by the petitioner/plaintiff for appointment of the local commissioner has been rejected.

Consequently, the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

27.02.2023
Ramesh

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