

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

CR-528-2022(O&M)

Date of decision:-17.2.2023

Jangir Singh and another

...Petitioners

Versus

Kulwant Singh and another

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Ms.Manpreet Kaur , Advocate
for the petitioners.

Mr.Amit Rana, Advocate
for respondents No.1 and 2.

H.S. MADAAN, J.

1. Under challenge in this revision petition is order dated 2.8.2021 passed by Additional Civil Judge(Sr.Divn.), Dhuri in civil suit titled 'Kulwant Singh Versus Jangir Singh and others' vide which an application filed by the defendant No.1 for appointment of revenue officer as a Local Commissioner to ascertain the factual position at the spot regarding house built in the disputed land, brick paved passage etc. besides number of trees standing in the suit property had been dismissed.

2. Feeling aggrieved, defendants No.1 and 3 have approached this Court by way of filing present petition praying that the revision petition be accepted, the impugned order be set aside and application for appointment of Local Commissioner filed by defendant No.1 be allowed.

3. Notice of the revision petition was issued to the respondents and respondents No.1 and 2 have put in appearance through counsel.

4. I have heard learned counsel for the parties besides going through the record and I find that the trial Court has rightly rejected the application since it is for the defendants to prove their own case and the Court is not to collect evidence for them by appointment of Local Commissioner.

5. The impugned order passed by the trial Court is quite detailed and well reasoned and it does not suffer from any illegality or infirmity and is not having any element of arbitrariness or perversity. The revisional jurisdiction of this Court is quite limited and considering the facts and circumstances of the case, there is no reason to interfere with the impugned order by way of exercising the revisional jurisdiction.

6. Finding no merit in the revision petition, the same stands dismissed.

Since the main revision petition has been dismissed, the miscellaneous application(s), if any, stand disposed of accordingly.

17.2.2023
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No