

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.R. No.6844 of 2017 (O&M)

Date of Order:08.11.2023

Kishan Singh

.Petitioner

Versus

Pritam Kaur (since deceased) through LRs

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Deepak Verma, Advocate, for the petitioner.

Mr. A.S.Manaise, Advocate, for the respondent.

ANIL KSHETARPAL, J

1. The petitioner herein is a defendant in a plaintiff's suit for grant of decree of possession by removal of encroachment.

2. During the pendency of the suit, the court on the request of the plaintiff has appointed a Local Commissioner, namely, Halqa Kanungo to demarcate the property and submit the report. The correctness of the aforesaid order has been challenged in this revision petition.

3. The learned counsel representing the petitioner submits that the plaintiff has filed the suit on a wrong foundation and the previous suit filed by the plaintiff was dismissed.

4. This court has considered the submissions of the learned counsel representing the parties.

5. In this revision petition, the court is required to examine the correctness of the order passed by the trial court while appointing the Local Commissioner to demarcate the area.

6. It is open to the learned counsel to take the particular objection before the trial court. However, in this revision petition, this court does not

find it appropriate to overstep scope of the revision petition.

7. Keeping in view the aforesaid facts and discussion, no ground to interfere is made out.
8. Dismissed.
9. All the pending miscellaneous applications, if any, are also disposed of.

November 08, 2023

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(ANIL KSHETARPAL)

JUDGE

Whether speaking/reasoned

Whether reportable

:YES/NO

:YES/NO