

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

CR-1785-2022 (O&M)

Date of decision: 08.05.2023

Hardeep Singh and another

...Petitioners

Versus

Gram Panchayat and others

...Respondents

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

Present: Mr. A.S. Gulati, Advocate for the petitioners.

Mr. H.K. Brinda, Advocate for respondent No.1.

H.S. MADAAN, J. (Oral)

1. In a suit for permanent injunction filed by plaintiff Hardeep Singh and another against Gram Panchayat etc., on an application filed by Gram Panchayat, the trial Court of Civil Judge (Jr. Divn.) Rupnagar, vide impugned order dated 05.04.2022 has appointed Field Kanungo as Local Commissioner to visit the spot and conduct demarcation of the property of plaintiffs comprising in kh/kh No.123/119 min/138, khasra No.3//19/1/2 (1-2), 3//19/2/2 (1-1), 3//19/3(1-1) and then furnish the report regarding the same.

2. The plaintiffs are feeling aggrieved by that order and have filed the present revision petition, notice of which was given to the respondents, however, only respondent No.1-Gram Panchayat has put in appearance through counsel.

3. After hearing learned counsel for the parties and going

through the record, I do not find any illegality or infirmity in the impugned order. The trial Court being of the view that the dispute was with regard to the location of the suit property which cannot be adjudicated effectively without conducting proper demarcation of the suit property, has appointed the Local Commissioner. The Local Commissioner would visit the spot and then carry out the demarcation. The plaintiffs may remain present there at the relevant time. They would have a right to file objections against the report of Local Commissioner, therefore, their grouse comes out to be unfounded.

4. I do not see any reason to interfere with the impugned order. The revision petition is found to be without merit and is dismissed accordingly.

08.05.2023
sumit.k

(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No