

2023:PHHC:158240

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

CR-3350-2022 (O&M)
Date of decision: 11.12.2023

Gurmeet Singh Saini @ Rinku

....Petitioner

Versus

Chander Parkash

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Shivam Grover, Advocate for the petitioner

ANIL KSHETARPAL, J (Oral)

1. The petitioner herein is a tenant in possession of the property. The respondent-landlord has filed a petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 seeking the eviction of the petitioner from a shop constructed within the house no.777 Main Road near Church, Village Hallomajra, UT, Chandigarh. During the pendency of the petition before the Rent Controller, an application was filed by the tenant for appointing a revenue official to take the measurement of the land. The aforesaid application has been dismissed by the Rent Controller. In other words, the court has refused to appoint a Local Commissioner to demarcate the land.

2. In view of the law laid down by two different Division Benches of this Court in **Harvinder Kaur and another vs. Godha Ram and another 1979 PLR 562** and **Pritam Singh and another**

vs. **Sunder Lal and others, 1990(2) PLR 191**, the order refusing to appoint a Local Commissioner, to collect evidence is not amenable to interference in the revision petition.

3. Keeping in view the aforesaid facts, no ground to interfere is made out.

4. Hence, dismissed.

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

11.12.2023

rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No