

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CR-6609-2023 (O&M)

Date of Decision: 6.11.2023

Mamta Chopra

....Petitioner

VERSUS

Sant Lal and others

....Respondents

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

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

KARAMJIT SINGH, J.

Counsel for the petitioner, while assailing the impugned order (Annexure P-5) dated 20.9.2023 passed by the Court of Civil Judge, Junior Division, Jagadhri, submits that plywood factory is being run by petitioner-Mamta Chopra in the suit property and for running of the said factory, the front portion of the same should not be less than 17 feet and as such, mode of partition suggested by the previous Local Commissioner whereby front of only 11 feet was given to the petitioner is not acceptable to the petitioner and the said width of 11 feet is not sufficient for proper running of the plywood factory.

2. I have considered the submissions made by the counsel for the petitioner.

3. This petition is hereby disposed of, without commenting on the merits of the case, with clarification that fresh local Commissioner appointed by the learned trial Court is not to be influenced by the report of Local Commissioner dated 17.1.2020 and fresh local Commissioner should visit the spot after issuing notice to both the parties and is also to take into

consideration the fact that in some portion of the suit property, petitioner- Mamta Chopra is running a plywood factory and as such, is to suggest a fresh mode of partition while keeping in mind the fact of viability of running of the aforesaid plywood factory and to submit his fresh report in compliance of order dated 20.9.2023 passed by the Court of Civil Judge, Junior Division, Jagadhri.

(KARAMJIT SINGH)
JUDGE

November 6 , 2023
Paritosh Kumar

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