



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR-4812-2024 (O&M)
Date of Decision: 16.09.2024

SULAKHAN SINGH

... .PETITIONER

Vs.

BEVI

.... RESPONDENT

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr.Arun Abrol, Advocate, for the petitioner.

DEEPAK GUPTA, J.CM-16003-CII-2024

This is an application moved by the applicant/petitioner to place on record copies of the sale deeds as Annexures P8 and P9.

Application is allowed.

Annexures P8 and P9 are taken on record.

CR-4812-2024

Petitioner is defendant before learned trial Court of Civil Judge (Sr. Division), Gurdaspur in civil suit bearing No.CS/855/22 titled as Bevi Vs. Sulakhan Singh. He is aggrieved by the order dated 11.07.2024 (Annexure P-1), whereby an application under Order 26 Rule 9 CPC for appointment of Local Commissioner has been allowed by the Trial Court.

2. The sole contention made by learned counsel for the petitioner is that Court cannot permit the collection of evidence on behalf of the party.

3. Perusal of the impugned order would reveal that entire dispute revolves around the fact as to whether the disputed property marked by letters 'ABCD' is a part of khasra number or the 'Lal Lakir' or whether it is a street and there is any encroachment thereupon.

4. It is conceded by learned counsel that both the parties purchased their respective plots from the same vendor i.e. Balbir Kaur out of

the same khasra number bearing 249R/5/1 and, therefore, the demarcation of the property in dispute will serve the ends of justice in coming to the conclusion as to whether the disputed portion forms part of the property purchased by any of the party or the same is part of street. By way of impugned order, the trial Court has appointed a revenue official i.e. field kanungo to conduct the necessary demarcation.

5. This Court does not find any illegality in the impugned order.
No merit. Dismissed.

16.09.2024
Vivek

(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned?	Yes
Whether reportable?	No