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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-6750-2024

Date of decision: 26.11.2024

Dildar Singh

...Petitioner

Versus

Balbir Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Gaurav Tangri, Advocate for the petitioner.

VIKAS BAHL, J. (ORAL)

1. This is a revision petition filed under Article 227 of the Constitution of India for setting aside the impugned order dated 16.08.2024 passed by the Additional District Judge, Ludhiana in CA No.427 of 2018.

2. The Division Bench of this Court in the case of “***Pritam Singh Vs. Sunder Lal***”, ***reported as 1990 (2) PLR 191*** had observed that the order refusing to appoint a Local Commissioner does not decide any issue nor adjudicates rights of the parties for the purpose of the suit and is therefore not revisable. Learned Single Judge, vide judgment dated 18.07.2022 passed in ***Civil Revision No.2752 of 2022*** in case titled as “***Harchand Vs. Karambir Singh and another***”, by placing reliance upon the above-said judgment of Division Bench and also the judgment of the learned Single Bench in “***Raksha Devi Vs. Madan Lal and others***”, ***reported as [2017 (3)***

PLR 249], had observed that no revision would be maintainable against an order dismissing an application for appointment of a Local Commissioner.

3. Learned counsel for the petitioner has submitted that in view of the above, he seeks permission of this Court to withdraw the present revision petition with liberty to the petitioner to raise all the pleas as are available to him during the course of trial, in accordance with law.

4. In view of the above, the present revision petition is dismissed as withdrawn with liberty aforesaid.

26.11.2024
Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-	Yes/No
Whether reportable:-	Yes/No