



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

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CR-8693-2025 (O&M)
Date of decision: 05.03.2026

Ronki Ram

...Petitioner

V/s

Gram Panchayat, Village Bapda and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Hardeep Singh Dhillon, Advocate, for the petitioner.

Mr. Raghav Sharma, Advocate, for respondent No.3.

VIKRAM AGGARWAL, J (ORAL)

The present revision petition, preferred under Article 227 of the Constitution of India, assails the order dated 08.10.2025 (Annexure P-1) passed by the Court of Civil Judge (Jr. Divn.), Kurukshetra, vide which the application moved by respondent-defendant No.3 under Order 26 Rule 9 of the Code of Civil Procedure, 1908 (for short "the CPC") for the appointment of a local commissioner was allowed.

2. A suit (Annexure P-17) was instituted by the petitioner-plaintiff (Ronki Ram) for permanent injunction restraining the respondents-defendants from dispossessing the petitioner-plaintiff from Plot No.65 allotted to him vide allotment letter dated 08.01.2010 and for restraining them from creating any kind of interference in the peaceful possession of the same.

3. An application under Order 26 Rule 9 CPC (Annexure P-2) was moved by respondent-defendant No.3 (Raj Kumar) for the appointment of a local commissioner to report the existing state of affairs of the suit property. It was averred in the application that it was the case of the petitioner-plaintiff that he was allotted Plot No.65 whereas, as per respondent-defendant No.3, he

was allotted Plot No.183 and other allottees were also allotted other plots by

the Gram Panchayat. The case set up was that Plot No.65 being claimed to be allotted to the petitioner-plaintiff was in fact Plot No.183 and not Plot No.65.

4. The said application was opposed by the petitioner-plaintiff though, the reply to the same has not been annexed with the instant revision petition.

5. By way of the impugned order dated 08.10.2025, the trial Court allowed the application and appointed the Halqa Patwari, Tehsil Ladwa to visit the spot and to demarcate and report the exact boundaries of Plot No.65 and Plot No.183. It is this order that has been assailed by the petitioner-plaintiff.

6. I have heard learned counsel for the parties.

7. Learned counsel for the petitioner-plaintiff submits that there is already a demarcation report on record and, therefore, under the circumstances, there was no requirement of appointing a local commissioner. In support of his contentions, learned counsel places reliance upon the judgments of this Court in ***Kuldip Singh and another vs. Davinder Singh and others (CR-2277-2019, decided on 09.04.2019)*** and ***Manohar Lal vs. Dipanshu and others (CR-7245-2025, decided on 13.10.2025)***.

8. *Per contra*, learned counsel representing respondent No.3 has submitted that since there was a dispute as regards identification of the suit property, the local commissioner was rightly appointed.

9. I have considered the submissions made by learned counsel for the parties.

10. It is a settled position of law that no local commissioner is required to be appointed by a Court, where there is a dispute as regards the possession, for, it is for the parties to prove their respective cases. However, it is equally well settled that when there is a dispute as regards boundaries or identification, a local commissioner should be appointed. In any case, this

Court does not find any irregularity in the exercise of discretion by the trial Court in appointing the Halqa Patwari to demarcate and to report about the exact boundaries of Plot No.65 and Plot No.183, since there were rival claims by both sides.

11. Since the dispute in the present case is not with regard to possession but with regard to boundaries, the judgments referred to by learned counsel for the petitioner would not come to his aid.

12. That being so, the instant petition is found to be devoid of merit and is accordingly dismissed.

Pending application(s), if any, shall also stand disposed of.

(VIKRAM AGGARWAL)
JUDGE

March 05, 2026
vcgarg

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No