

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

Civil Revision No. 3002 of 2010 (O&M)
Date of decision:- 23.03.2011

Mahinder Parkash and others

....Petitioners

Vs.

Hukam Singh and others

....Respondents

CORAM: HON'BLE MR. JUSTICE A.N. JINDAL

Present:- Mr. C.B. Goel, Advocate,
with Mr. Nitin Jain, Advocate,
for the petitioners.

A.N. JINDAL, J (ORAL)

This petition assails the order dated 20.03.2010 passed by the Civil Judge (Junior Division), Gurgaon, whereby the application filed by the plaintiffs-petitioners (hereinafter referred to as 'the petitioners') for appointment of Local Commissioner, was dismissed.

Nobody has put in appearance on behalf of respondents despite service.

It was brought to my notice that the record of previous demarcation report, on the basis of which suit was filed, was destroyed. In this situation, this petition is disposed of with liberty to the petitioners to move an application before the competent authority for fresh demarcation of the suit land, if they so desire. On moving such application, the the competent authority/revenue officials would be at liberty to effect the demarcation.

Since the petitioners are seeking demarcation of the suit land at the time when their evidence has commenced, therefore, the rights of the defendants-respondents would not be prejudiced.

23rd of March, 2011
ajp

(A.N.JINDAL)
JUDGE