

CMPMO No.81 of 2007.

28.9.2007. Present: Mr. D. Dadhwal, Advocate, for the petitioner.

Mr. R.K. Bawa, Senior Advocate, with
Mr. Inderjit Singh, Advocate, for respondents
No.1 to 3.

The learned Court below has rightly rejected the petitioner's application filed under Order 26 Rule 9 of the Code of Civil Procedure for appointment of a Local Commissioner for carrying out the demarcation because the demarcation already has been done. Mr. Dadhwal refers to order dated 5th August, 2006 passed by the Assistant Collector First Grade, Solan in which, according to him liberty has been given to the petitioner to file fresh application for demarcation if the petitioner so desires. It is entirely upto the petitioner to avail of the aforesaid liberty, if in existence as well as permissible and if he does so, the learned Revenue Officer concerned may pass appropriate orders on that application in accordance with law.

The petition is dismissed.

CMP No.181 of 2007.

In view of the dismissal of the main petition, this application shall also stand dismissed.

28th September, 2007.
(tr)

(V.K. Gupta), C.J.