

04.11.2025 Present: Mr. Narender Sharma, Advocate, vice Mr. M.L. Sharma, Advocate, for the petitioner.

Mr. Varun Chandel and Mr. H.S. Rawat, Additional Advocates General, with Mr. Rohit Sharma and Ms. Ranjna Patial, Deputy Advocates General, for respondent No. 1-State.

Respondent No. 2 in person.

Mr. Jeewan Lal Sharma, Advocate, for respondents No. 3 to 7.

By way of the present petition, the petitioners have sought the indulgence of this Court, to transfer the trial of the case, arising out of FIR No. 82, dated 1st July, 2018, registered with Police Station Dharampur, pending in the Court of learned Judicial Magistrate First Class, Sarkaghat, District Mandi, H.P., as Challan No. 160/2018, as well as, the trial of the case, arising out of FIR No. 83, dated 1st July, 2018, pending in the said Court, as Challan No. 172/2018, to the Court of any Judicial Magistrate First Class, Hamirpur.

2. The main ground, upon which, the transfer has been sought, is that respondents No. 2 and 3 are practicing Advocates at Sarkaghat and for that reason, no Advocate at Sarkaghat is ready to accept their brief.

3. It is also the case of the petitioners that although, legal aid counsel has been provided to them, but, they are not satisfied with his performance and conduct.

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4. This Court, on 29th August, 2025, has passed the following order:

“The parties to the present lis are not strangers, but, from the same family, as such, efforts for conciliation made.

At this stage, learned counsel for the petitioners stated that the application for demarcation of land is pending before the Naib Tehsildar, Tihra, District Mandi, H.P.

In view of request made by learned counsel appearing for the parties, list on 10.10.2025.”

5. In view of the submissions made by the learned counsel for the parties, it appears that the bone of contention between the parties, is the demarcation of the land, for which, the application is pending before the Naib Tehsildar, Tihra, District Mandi, H.P.

6. Today, the learned counsel appearing for the private parties have submitted that although, the application for demarcation is pending before the Naib Tehsildar, Tihra, but, in case a Local Commissioner is appointed to supervise the process of demarcation, the dispute between the parties could be settled.

7. Consequently, Mr. Vishwa Bhushan, Advocate, who is present in the Court, is appointed as Local Commissioner to supervise the process of demarcation.

8. In view of the request made by the learned Local Commissioner, Superintendent of Police, Mandi, is directed to ensure the presence of the police personnel at the time of

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demarcation, to maintain law and order situation, on the spot.

9. The Naib Tehsildar, Tihra, District Mandi, is directed to conduct the demarcation, on 28th November, 2025, at 10.00 a.m., as per the procedure, prescribed under the relevant Rules and instructions.

10. Awaiting the report of the Local Commissioner, list on **8th December, 2025.**

(Virender Singh)
Judge

November 04, 2025
(rajni)