

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CWP No.13366 of 2015
Date of decision : July 8, 2015

Sarabjit Singh and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Tribhawan Singla, Advocate
for the petitioners.

1. Whether reporters of local papers may be allowed to see the judgment ?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

Amit Rawal, J (oral).

The petitioners have filed the present writ petition, though in a representative capacity for issuance of appropriate direction in the nature of mandamus to respondent No.1 to 3 for initiating appropriate legal proceedings against respondent No.4 for illegally encroaching the Municipal Council's land. The said controversy cannot be decided by invoking Article 226 of the Constitution as it is a question of fact which has to be proved by direct much less cogent evidence.

The petitioners have an efficacious remedy by invoking the jurisdiction of the trial Court under Section 9 of the Code of Civil Procedure.

Accordingly, there is no merit in the writ petition, the

same is disposed of.

However, in case the petitioners avail the remedy by filing a civil suit, this order shall not come in their way.

(AMIT RAWAL)
JUDGE

July 8, 2015
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