

CM No.9916-CWP of 2015 in/and
CWP No.15946 of 2015

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

CM No.9916-CWP of 2015 in/and
CWP No.15946 of 2015

Date of Decision: August 07, 2015

Mohinder Kaur & another

...Petitioners

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Ranjan Lakhanpal, Advocate
for the petitioners.

Mr. R.S. Sidhu, Asstt. A.G., Punjab
for respondents No.1 to 4.

Mr. Dinesh Kumar, Advocate
for the applicant-respondents No.5 and 6.

AUGUSTINE GEORGE MASI, J. (Oral):

Prayer in CM No.9916-CWP of 2015 is for impleading the applicants as respondents 5 and 6. The main writ petition is for directing the respondents to hand-over the dead body of late Shri Pakhar Singh who had died on 22.07.2015. During the course of hearing, it has been amicably resolved between the parties and it has been stated in one voice that the petitioners and the applicants-respondents 5 and 6, all, want a decent burial to the deceased.

Counsel for the applicants has referred to the order passed by the Deputy Commissioner, Kapurthala, dated 30.07.2015 (Annexure R-5/8), whereby, it has been decided that the body be cremated in the presence of all the children at the appropriate place

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under the supervision of the Sub-Divisional Magistrate or his authorized officer.

During the course of hearing, it has been amicably settled that the cremation will be conducted in the presence of the petitioners and Gursharan Singh as well as the applicant-respondents No.5 and 6 and the last rites will be performed by Gursharan Singh son of late Shri Pakhar Singh. The counsel for the parties have made statements to this effect in Court today, on receiving instructions from the parties who are present in Court.

The Sub-Divisional Magistrate, Phagwara, is directed to determine the place, date and time of cremation. He shall ensure that there are proper arrangements so that the cremation is carried out peacefully and conducted in a decent and dignified manner as per the statements recorded above. The parties shall be bound by them.

Parties are directed to appear before the Sub-Divisional Magistrate on 08.08.2015 at 10 AM.

Copy of the writ petition be handed over to the counsel for the State.

CM and writ petition stand disposed of, accordingly.

Copy of the order be given *dasti* to the counsel for the parties under the signatures of Special Secretary of this Court.

August 07, 2015

Harish

(AUGUSTINE GEORGE MASIH)
JUDGE