

CWP No. 8453 of 2012

Date of decision: 14.08.2015

Mansikander Singh

.....Petitioner

versus**Union of India and others**

.....Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain**Present:** Mr. Kuldeep Tiwari, Advocate
for the petitioner(s).Mr. Karminder Singh, Advocate
for the respondent(s).**Rakesh Kumar Malik, J.(Oral)**

This petition is filed by Mansikander Singh s/o Shri Sube Singh seeking a direction to the respondents to issue an identity card to him to cultivate his land which falls inside the Border Security Fencing, erected by the respondents in his land and further to compensate him for not allowing him to cultivate his own land since 2006.

After notice, respondents have filed their reply.

Counsel for the respondents has submitted that in the past similar writ petition was filed by *Kulwant Kaur and another* bearing CWP No. 14474 of 2007 which was dismissed by this Court on 29.08.2008 with the following order:

*“None has appeared on behalf of
the petitioner even after passing over the case.*

*In the reply it has been pointed out
that husband of petitioner No. 1 and father of
petitioner No. 2 namely Suba Singh and his*

brother Punjab Singh are active in smuggling activities and therefore, the District Police has not recommended the grant of permission to cultivate the land situated at Indo-Pak Border.

In view of the said fact, we do not find any merit in the petition and the same is dismissed.”

It is also submitted that Kulwant Kaur is none else than the wife of Sube Singh and the mother of Mansikander Singh, the present petitioner.

In view thereof, once decision in this regard has already been taken by the Division Bench of this Court, this Court can not grant the prayer made by the petitioner. Faced with this difficulty, counsel for the petitioner prays for withdrawal of this petition in order to file appropriate application in CWP No. 14474 of 2007.

Dismissed as withdrawn. Liberty granted.

14th August, 2015
Shivani Kaushik

[RAKESH KUMAR JAIN]
JUDGE