

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

Civil Writ Petition No.620 of 2015

Date of decision: 14.01.2015

Mohatmim Parminder Dass Chela Karamjit Dass Chela Lachman
Dass of Dera Hari Dass and another.

... Petitioners

versus

State of Punjab through the Secretary Department of Home Affair,
Punjab Civil Secretariat, Chandigarh, and others.

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Gurnam Singh, Advocate,
for the petitioners.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ?No.
3. Whether the judgment should be reported in the digest ?No.

K.Kannan, J. (Oral)

1. With an interim order obtained against two private individuals who have had no difficulty in accepting the plaintiff's claim as in possession and management of dera and its property, the writ petition is filed against a host of persons 10 in number arrayed as respondents in this writ petition. Whether the plaintiff is a dera chief and whether he is entitled to be in possession is a civil dispute and that cannot be decided in a writ petition. Indeed the petitioners themselves have approached the civil court and have sought for relief of declaration that they are the owners of the dera and were

entitled to be in possession. The plaintiffs are bound to array everyone who is interested in denying the legal status in order to secure a declaratory relief that is contemplated under Section 34 of the Specific Relief Act. They cannot file merely a suit against two persons who are prepared to suffer statement that the petitioners' possession will not be disturbed and use it in High Court to say that the petitioners' possession has been confirmed by a civil court. I see this only to be a fraudulent attempt to snatch an order.

2. The writ petition is dismissed.

(K.KANNAN)
JUDGE

14.01.2015
sanjeev