

CWP No.17422 of 2016

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

**CWP No.17422 of 2016
Date of decision:27.08.2016**

Devender Pal Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Angel Sharma, Advocate,
for the petitioner.

Rakesh Kumar Jain, J.

The petitioner has prayed for a direction to respondent No.3 (Deputy Commissioner, Faridkot) to get her house vacated from respondent No.8 (Surjit Singh, SHO, Police Station City, Faridkot).

In short, it is averred that the petitioner had purchased the land underneath the house in question on 22.12.2011. When her brother Ranbir Inder Singh Sekhon tried to dispossess her forcibly from the house in question, she filed a civil suit for injunction, in which Ranbir Inder Singh Sekhon was restrained. However, the sale deed in favour of the petitioner was challenged but the said suit was dismissed in default on 28.01.2016. It is alleged that the house of the petitioner was once illegally occupied by Inspector Lakhbir Singh, CIA Staff, Faridkot but on her complaint made to the SSP, Faridkot, dated 26.06.2015, the possession was restored to her but at present the house in question is in occupation of respondent No.8. She

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has allegedly lodged a complaint on Police Helpline No.181 which was registered vide No.1118282 and also made a complaint to the SSP, Faridkot dated 28.04.2016 but her house is not being vacated by respondent No.8. Thus, the prayer has been made for seeking a direction to respondent No.3 in order to get her house vacated from respondent No.8.

I have heard learned counsel for the petitioner and perused the available record.

In case respondent No.8 is occupying the house of the petitioner illegally, the petitioner may, if so advised, register a criminal case against respondent No.8 and also file a complaint to his department besides filing a suit for mandatory injunction but insofar as the present petition is concerned, it is not maintainable and the same is hereby dismissed as such.

August 27, 2016
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned:	Yes/No
Whether Reportable:	Yes/No