

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

CWP No.3749 of 2016
Date of Decision:-05.04.2016

Ajeet and others

..... Petitioners

Vs.

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: - Mr.N.S. Panwar, Advocate,
for the petitioners.

RAKESH KUMAR JAIN, J. (ORAL)

The petitioner has prayed for a mandamus directing the respondents to grant compensation/damages on account of physical injuries and malicious prosecution.

The issue involved in this case is as to whether the petitioner can claim compensation in the writ petition. In this regard he has relied upon a decision of Madras High Court rendered in “**S. Anand Vs. State of Tamil Nadu, represented by its Secretary to Government, Department of Home, Chennai-9**” 2012(1) RCR (Civil) 64.

I have heard learned counsel for the petitioner and of the considered opinion that for the purpose of compensation especially in case where the petitioner is pleading malicious prosecution at the hands of the respondents, the remedy would be of filing a civil suit. Hence, the present petition is hereby dismissed being not maintainable. The petitioner may, if so advised, avail his remedy of filing civil suit.

05.04.2016

Vivek

(RAKESH KUMAR JAIN)
JUDGE

VIVEK PAHWA
2016.04.06 10:15
I attest to the accuracy and
authenticity of this document
High Court Chandigarh