

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CWP No. 11274 of 2012

Date of decision : July 11, 2017

Sanjeev Kumar and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. Bhupinder Banga , Advocate
for the petitioners.

Ms. Deepali Puri, Addl. A. G. Punjab.

Mr. Vipul Jindal, Advocate
for respondent Nos. 5 and 6.

RAKESH KUMAR JAIN, J (oral).

The petitioner is seeking a direction to initiate action by respondent Nos. 1 to 3 against respondent No.4 who has allegedly illegally locked the factory premises of the petitioners and kept the keys of the said premises.

Counsel for the State has admitted that the premises was locked by respondent No.4 but the keys were handed over to their father- Ved Parkash Jasuja. It is submitted that this action has been taken in order to maintain peace and tranquility as the petitioners were causing breach of peace on account of their share in the property.

I have heard learned counsel for the parties and after examining the record, am of the considered view that the procedure adopted by respondent No.4 is not just and legal, he should not have locked the premises of the petitioners even if he has not kept the keys with himself and

handed over the same to father of the petitioners.

In this view of the matter, the present petition is hereby disposed of with a direction to father of the petitioners-Ved Parkash Jasuja to return the keys, handed over to him by respondent No.4, immediately so that they may open their premises for the purpose of running their Spinning Mill.

Since respondent No.4 has not retained the keys with him and appears to have done the said act in good faith just in order to maintain peace and tranquility in his area, therefore I do not propose to take any action against him.

(RAKESH KUMAR JAIN)
JUDGE

July 11, 2017
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No