

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

**CWP No.10897 of 2013
Date of decision:20.01.2017**

Jamal Deen (since deceased) through LRs ... Petitioner

Vs.

State of Haryana and others ... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Mansur Ali, Advocate, for the petitioner.

Mr. Sandeep Singh Mann, Sr. DAG, Haryana.

AMIT RAWAL J. (Oral)

The petitioners have approached this Court for seeking relief as mentioned in the head note of the writ petition.

The relief cannot be granted as they are at liberty to seek vindication of the grievance by availing the remedy under Section 9 by taking the aid of provisions of Order 1 Rule 8 of Code of Civil Procedure in representative capacity by establishing the nature of the property through oral and documentary evidence but not in the manner and mode as sought for. The petitioners have already availed the remedy. The permission has been granted. The relief sought is for execution of the decree, thus, the writ petition is not maintainable. They have remedy to seek execution of the decree.

No ground is made out for interference in the impugned orders.

Accordingly, the writ petition stands dismissed.

**(AMIT RAWAL)
JUDGE**

January 20, 2017

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Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No