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

CWP No. 15961 of 2014 (O&M)
Date of decision: 16.8.2017

Vijay Kumar and another .. Petitioners

vs

State of Haryana and others .. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice Gurvinder Singh Gill

Present: Ms. Bhupinder Kaur, Advocate for
Dr. Surya Parkash, Advocate, for the petitioners.

Mr. Ankur Mittal, Additional Advocate General, Haryana.

Mr. Jagdish Manchanda, Advocate, for respondent nos. 2 and 5.

Rajesh Bindal, J.

Present petition has been filed by the petitioners seeking restraint against the official respondents not to take forcible possession of the land owned by the petitioners. The claim is sought to be set up on the ground that decree has been passed by the Civil Court (Junior Division), Fatehabad, in their favour in a suit for permanent injunction.

The stand taken by respondent no. 2 is that the land is owned by the Municipal Committee, Ratia, on which a park has already been developed. The land is in possession of the Municipal Committee, Ratia.

Considering the aforesaid factual matrix and that the case sought to be set up by the petitioners is on the basis of a civil court decree in their favour, in our opinion, the writ court is not appropriate jurisdiction, as

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the matter is in Civil Court. The present writ petition is dismissed. However, the same will not debar the petitioners from availing their appropriate remedy in accordance with law.

(Rajesh Bindal)
Judge

16.8.2017
vs

(Gurvinder Singh Gill)
Judge

Whether speaking/ reasoned Yes/No

Whether Reportable Yes/No