

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH

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*CWP No.28375 of 2017*  
*Date of Decision: 13.12.2017*

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Gurmail Singh

. . . . Petitioner

*Vs.*

The Commissioner of Police, Ludhiana and others

. . . .Respondents

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***CORAM: - HON'BLE MR. JUSTICE RAKESH KUMAR JAIN***

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Present: Ms.Swati Verma, Advocate,  
for the petitioner.

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***RAKESH KUMAR JAIN, J. (ORAL)***

This petition is filed for the issuance of a writ in the nature of mandamus directing respondents No.1 & 2 to take action against respondent No.3, who has allegedly stopped water supply to the premises of the petitioner, who is in occupation of the premises as tenant.

Learned counsel for the petitioner has submitted that the petitioner has already filed a suit for permanent injunction against respondent No.3 for restraining him from forcibly dispossessing him of the demised premises and in that suit, temporary injunction has already been given vide order dated 20.1.2017 and respondent No.3 has been restrained from forcibly dispossessing the petitioner from the property in question and also from disconnecting the electricity connection till the disposal of the suit. It is also argued by counsel for the petitioner that the rent petition filed by respondent No.3 is also pending in which the reply has been filed.

The petitioner, in the given circumstances, has a remedy either to file an application in the pending suit filed by him for seeking *ad interim*

injunction (mandatory) against the respondents seeking direction of the Civil Court for regularizing supply of the water to his premises or to file an appropriate application in the rent petition for seeking direction of the Rent Controller to the landlord for providing basic amenities to him. Insofar as this petition is concerned in which the petitioner is asking for a direction to the police for taking action, is not maintainable.

Disposed of.

13.12.2017

*Vivek*

(RAKESH KUMAR JAIN)  
JUDGE

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*