

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

CWP No. 29138 of 2017

Date of decision : 20.12.2017

Arya Pratinidhi Sabha, Haryana & anr.

....Petitioners

V/s

Subhash Chand Amar

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Shubham Gupta, Advocate for the petitioners.

RAJAN GUPTA J.

Present petition has been filed seeking a writ in the nature of mandamus to direct the District Judge, Faridabad to stay the proceedings pending before the courts below with further prayer for time bound disposal of civil suit no. 729 of 2015. It has been urged before the court that litigation is pending before the court below. Respondent is collecting rent on behalf of petitioner no. 2 from its tenants. A direction, thus, needs to be issued to deposit the rent in the court.

It appears that present petition has been filed against a private person. It is inexplicable how petitioners are entitled to such a relief. On a query being put to counsel for the petitioners about the maintainability of writ petition of this nature, no clear answer is forthcoming. Petition is not only frivolous but appears to have been filed with some oblique motive. While exercising writ jurisdiction, this court would normally not entertain a prayer for a direction to court below to stay the proceedings or conduct the same in a time bound manner. It has to be noticed that litigation is between the private parties i.e. Arya Pratinidhi Sabha and one Subhash Chand Amar.

Filing of such petition needs to be discouraged. Same is, thus, dismissed with ₹20,000/- as costs.

December 20, 2017
Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No