

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.9903 of 2015

DATE OF DECISION: February 28,2017

Mukhtiar Singh and others

...Petitioners

versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr.K.S.Rekhi, Advocate for the petitioners.
Mr.Yatinder Sharma, Additional Advocate General,
Punjab.
Mr.J.S.Toor, Advocate for respondent No.4.

AMIT RAWAL, J.

The claim of the petitioners involving disputed questions of fact cannot be adjudicated in a writ proceeding under Article 226 of the Constitution which requires the detailed evidence.

The writ petition is dismissed with liberty to the petitioners to avail the remedy before the Civil Court within a period of two months from today. In case the remedy is availed within the stipulated period, the period of limitation, if any, would be condoned.

The interim protection granted by this Court vide order dated 7.7.2015 shall continue till the period of two months. Thereafter, it shall stand automatically vacated.

Kamal Deep Sehra
2017.03.04 15:07
I attest to the accuracy and
integrity of this document

Needless to say that the trial Court while adjudicating the application for ad interim injunction would not influence with the interim protection granted by this Court and shall decide the same on merits on the basis of ingredients of Order 39 Rules 1 and 2 CPC.

February 28,2017
KD

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No