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

CRM-M No.18099 of 2018
Date of Decision: 01.05.2018

Balbir Singh and another

....Petitioners

Vs

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. A.D.S. Jattana, Advocate,
for the petitioners.

RAJ MOHAN SINGH, J.(Oral)

1. Petitioners have prayed for issuance of necessary directions to respondents No.2 and 3 for taking appropriate action against private respondents and for facilitating the petitioners to harvest their standing crop.

2. Learned counsel for the petitioners by referring to orders dated 28.08.2017 and 14.11.2017 contends that Nazool land was allotted to forefather of the petitioners in the year 1961. In respect of permanent allotment of the aforesaid land, CWP No.3123 of 2007 is pending in the High Court in which order of *status quo* was granted in favour of the petitioners. Respondent No.7 remained unsuccessful in a suit for permanent injunction before the trial Court as well as before

lower Appellate Court. No further appeal was filed by respondent No.7 in the High Court. Respondent No.7 got the land attached in connivance with police under Section 145/146 Cr.P.C.

3. CRM-M No.31586 of 2017 was filed by the petitioners in which after noticing aforesaid incriminating facts, the Coordinate Bench stayed the operation of Calendra vide order dated 28.08.2017 and thereafter, official respondent No.5 dropped the proceedings and the petition was got dismissed as withdrawn vide order dated 14.11.2017.

4. The grievance of the petitioners is that despite they being in established possession and sown crop, they are not being allowed to harvest the crop by private respondents in connivance with police.

5. Precisely for the grievance in question, a detailed representation has been preferred by the petitioners before respondent No.3 highlighting conduct of respondent No.5 Jaskaran Singh in para no.27 of the representation.

6. Notice of motion.

7. On the asking of Court, Mr. Sandeep Kumar, D.A.G., Punjab, accepts notice on behalf of respondents No.1 to 6.

8. In view of nature of order, which this Court proposes to pass there is no necessity of filing any reply, as no order

prejudicial to the interest of either party is being passed.

9. At this stage, without embarking upon merits of the case, it would be appropriate to ask respondent No.3 to have a fair look on the grievance of the petitioners and pass appropriate order in accordance with law without being influenced by any statement of fact made hereinabove.

10. Disposed of.

01.05.2018
Jyoti

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No