

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18894-2018

Date of Decision: 14.05.2018

Raghbans Singh

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Rai Singh Chauhan, Advocate,
for the petitioner.

Mr. V.G. Jauhar, Sr. D.A.G., Punjab.

Mr. K.S. Dadwal, Advocate,
for respondents no. 5 to 9.

AMOL RATTAN SINGH, J. (ORAL)

In response to notice issued in this petition, by which the 93 year old petitioner seeks protection of life and liberty, Mr. K.S. Dadwal, Advocate, has appeared on behalf of respondents no. 5 to 9 and has filed the affidavit of respondent no. 5. A copy thereof has been given to learned counsel for the petitioner.

Both learned counsel for the petitioner and learned counsel for respondents no. 5 to 9, in fact submit that neither the petitioner nor respondent no. 5, nor the petitioners' son Vijay Kumar, are in possession of anything other than the land comprised in specific khasra numbers, in respect of which each has obtained an interim order in their separate suits before the civil Court, with however, learned counsel making allegations (obviously, on instructions from their respective clients), that each is interfering in the others' possession.

The issue of possession of each specific khasra number already being subject matter of 03 separate suits filed by the petitioner, his son Vijay Kumar and respondent no. 5 (Neetu), it is directed that all agencies of the police would presently stay their hands in even visiting the places in question, except under orders of the civil court in the aforesaid suits.

Both learned counsel submit that the petitioner and respondent no. 5 (as also Vijay Kumar) would file appropriate applications in the appropriate civil litigation for demarcation of the plots in question, so as to ensure that nobody is encroaching on the property of the other.

The petition is disposed of with the aforesaid directions.

If there is any interference by the police in the possession of either of the petitioners or respondent no. 5, except by orders of the appropriate Civil Court, obviously, each party would be free to take appropriate legal remedies.

May 14, 2018
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes