

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

**CRM-M-27110-2018 (O&M)
Date of Decision:04.07.2018**

Sudha Joshi and another

... Petitioners

Vs.

The State/U.T. Chandigarh and others

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. Ramesh Goyat, Advocate
for the petitioners.

P.B. BAJANTHRI J. (Oral)

In the instant petition, petitioners have sought for the following relief:

“a) restrain the respondents to take physical possession of petitioners dwelling unit, i.e., House No.5663, MHC Manikajra, Chandigarh;

b) set aside the notice/order dated 8.6.2018 (Annexure P-3) being issued without any authority of law by the Kanungo in the office of District Magistrate, Chandigarh;

c) direct the respondents to ensure compliance with the status quo dated 11.10.2017 in Civil Suit No.1000 of 2016, Sudha Joshi v. Sanjeev Joshi and another, pending in the court of Shri Gurkiran Singh, CJ/JD, Chandigarh for 12.07.2017.

d) pass any other appropriate order for taking appropriate punitive action against the respondents for having misused the authority of law for causing hurt and loss to a senior citizen.”

2. Perusal of the pleadings, it is evident that issue is civil in nature and matter is pending consideration before the Civil Court. Therefore, petitioners have not made out any case so as to seek any relief under Section 482 Cr.P.C.

3. Petitioners have relied on Annexure P-3 only marking a copy of the communication to SHO, Manimajra to contend that police are interfering. Perusal of Annexure P-3 reveals that it was issued only to

comply the order of District Magistrate. Petitioner has remedy with regard to Annexure P-3 elsewhere.

4. Arising out of the said facts and circumstances, petitioners are asking for protection. It is to be noted that if Annexure P-3 is marked to SHO Manimajra, the same would be considered by SHO, Manimajra in accordance with law read with court orders.

5. In view of the above facts and circumstances, petitioner has not made out a case.

6. Accordingly, petition stands dismissed.

04.07.2018
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**