

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-40935-2014 (O&M)

Date of decision: 25.04.2018

Yadwinder Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. K.S. Brar, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

Mr. D.S. Brar, Advocate
for respondents No.2 & 3.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for quashing of kalendra under Section 145 Cr.P.C. dated 16.07.2017 (Annexure P-3) and the order dated 10.10.2014 (Annexure P-5) passed by the Sub Divisional Magistrate, Jaitu (Faridkot), vide which, while invoking the powers under Section 146(1)(2) Cr.P.C., Naib Tehsildar, Jaitu was appointed as receiver and possession of the land in dispute was handed over to him.

Learned counsel for the parties are ad idem that a direction may be issued to Sub Divisional Magistrate, Jaitu to decide the proceedings pending under Section 145/146 Cr.P.C. in a time bound manner.

In pursuance of the order dated 20.03.2018, Kaur Singh, Senior Assistant, Office of Sub Divisional Magistrate, Jaitu is present in the Court and

submits that possession of the land in dispute was taken by the receiver/Naib Tehsildar and it is still in his possession.

Learned counsel for the petitioner as well as learned counsel for respondents No.2 & 3 have further submitted that one Civil Suit praying for a decree of declaration filed by the petitioner and another Civil Suit praying for a decree of permanent injunction filed by respondents No.2 & 3 are also pending, however, there is no injunction.

After hearing learned counsel for the parties, this petition is disposed of with a direction to Sub Divisional Magistrate, Jaitu to decide the aforesaid proceedings pending since 2014 preferably within a period of four months from the date of receipt of certified copy of this order.

The parties are directed to appear before the Sub Divisional Magistrate, Jaitu on 07.05.2018.

Disposed of, accordingly.

[ARVIND SINGH SANGWAN]
JUDGE

25.04.2018
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No