

In the High Court of Punjab and Haryana at Chandigarh

CRM M-43000 of 2017 (O&M)

Date of Decision: July 27, 2018

Gaffar

... Petitioner

Versus

Ayyub and others

... Respondents

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

Present: Mr. R.S. Hooda, Advocate,
for the petitioner.

P.B. Bajanthri, J. (Oral)

1. In the present petition, petitioner has challenged the order dated 24.05.2016 (Annexure P/1) passed by Judicial Magistrate First Class, Mewat and order dated 06.06.2017 (Annexure P/2) passed by Additional Sessions Judge, Mewat, by which complaint of the petitioner has been rejected on the score that allegation in the complaint is in the civil nature.

2. Undisputedly particular property which is under dispute is stated to have been allotted to Sh. Lal Singh and Sh. Harbans way back in the year 1963. Thereafter, Sh. Lal Singh and Sh. Harbans were stated to have sold the property in the name of the petitioner. At the same time, adjacent property is stated to have been allotted to respondents' father in the year 1964. Thus, there is a dispute between the petitioner and the respondents relating to particular property. In this regard, matter is already subjudice on civil side.

3. Having regard to the decision of the trial Court, as well as,

appellate Court, petitioner has not made out a case. Therefore, no interference is called for with orders dated 24.05.2016 and 06.06.2017 (Annexures P/1 and P/2 respectively). Accordingly, instant petition stands dismissed. Dismissal of this petition would not come in the way of deciding civil dispute which is stated to be pending consideration.

July 27, 2018
vkd

[P.B. Bajanthri]
Judge

Whether reasoned / speaking : Yes

Whether reportable : No