

Harwinder Kaur

.....Petitioner

versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL**

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Present: Ms. Sharmila Sharma, Advocate for the petitioner

**Sudhir Mittal, J. (Oral)**

The grievance of the petitioner is that she is being harassed by the police at the instance of respondent No. 4. Respondent No. 4 had agreed to purchase some property from the petitioner and a sum of Rs. 1 lac was paid as earnest money. The sale deed was to be executed, upon respondent No.4 paying the balance amount which was to be obtained through a loan. Respondent No. 4 failed to obtain the loan and, thus, sale deed was not executed. Under such circumstances, the agreement provides for forfeiture of the earnest money but the petitioner is being threatened by respondent No. 4 and at his behest by the police also to return the said amount. Despite representation dated 19.09.2018 (Annexure P-2), having been submitted, the police has failed to take any action thereupon.

Notice of motion to respondents No. 1 to 3 only.

Mr. R.S. Bains, DAG Punjab accepts notice on behalf of respondents No. 1 to 3. Let four copies of the petition be supplied to him during the course of the day.

Considering the nature of the order being passed, there is no necessity to issue notice to respondent No. 4.

The petition is disposed of with direction to respondent No. 2

to objectively consider the representation dated 19.09.2018 (Annexure P-2) and to

take appropriate action thereupon in accordance with law, in case it is so felt necessary, within a period of six weeks from the date of receipt of a certified copy of this order.

November 28, 2018

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**[SUDHIR MITTAL]**  
**JUDGE**

**Whether speaking/reasoned : Yes/No**

**Whether Reportable : Yes/No**