

In the High Court of Punjab & Haryana at Chandigarh

CRM-M-6990-2018

Date of decision: 19.04.2018

Satnam Singh

..... Petitioner.

VS.

State of Punjab and Others

..... Respondents.

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: None for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

Mr. Randeep Singh, Advocate for
Mr. Vipin Mahajan, Advocate
for respondents No. 4 and 5.

ARVIND SINGH SANGWAN, J.(ORAL)

Prayer in this petition is for issuance of a direction to respondents No.2 and 3 for safeguarding the life and liberty of the petitioner and for deciding the representation filed by the petitioner.

It is stated in the petition that the petitioner is the Sarpanch of the village and respondents No. 4 and 5 are creating hindrance in raising construction of play ground meant for the children of the village over the Panchayat land and respondents No. 4 and 5 are also extending threats to the petitioner in discharge of his duties.

Reply by way of affidavit of DSP, Rural, Gurdaspur, on behalf of respondents no. 1 to 3 has been filed in Court today and the same is taken on record. As per this affidavit, the petitioner has given a complaint against respondent No.4 regarding illegal possession on the play ground meant for children of the village and during inquiry, it is found that as per record of the Block Development and Panchayat Officer, Kahnuwan, Khasra

No. 111 (7 kanal, 10 marla) is in fact in the possession of Gurudwara Sahib.

It is further stated that the petitioner again filed a representation with similar allegation against some other persons and during inquiry it was revealed that the petitioner has already filed a case in the Court of Judicial Magistrate 1st Class, Gurdaspur and the representation (Annexure P2) was consigned as the matter was sub-judiced before the Court. It is further stated that the petitioner has again submitted a representation (Annexure P3) and the same was also filed after inquiry as the matter is still sub-judiced.

In view of the same, it is apparent that the matter is sub-judice before the JMJC, Gurdaspur and the petitioner has alternative remedy of obtaining the possession of the Panchayat land, in accordance with law.

In view of the same, this petition is rendered as infructuous.

19.04.2018
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(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No