

CWP No. 18275 of 2018

:1:

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CWP No. 18275 of 2018

Date of decision : July 26, 2018

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Bhajan Lal

.....Petitioner

Versus

State of Punjab and others

.....Respondents

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CORAM: HON'BLE MS. JUSTICE RITU BAHRI

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Present: Mr. Manjinder Singh Bhullar, Advocate for the petitioner.

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RITU BAHRI, J.

The petitioner Bhajan Lal is seeking writ of certiorari for setting aside the order dated 27.4.2018 (Annexure P-3) passed by the Appellate Tribunal-cum-District Magistrate (Deputy Commissioner), Ferozepur, whereby he has been directed to vacate the premises of Ashram/House of respondent no.1.

A perusal of the impugned order shows that since the year 2000, petitioner-Bhajan Lal had been staying with respondent no.2-Raj Kumar@ Moni Baba in the premises of the Ashram which belonged to Raj Kumar. Raj Kumar was a senior citizen. The petitioner started cultivating the land of Raj Kumar. On 21.3.2017, Raj Kumar made a complaint to the SHO, Sadar Ferozepur against Bhajan Lal to the effect that he had stolen agriculture equipments from his Ashram while breaking the locks of his rooms and disposed of the same without his permission. On 25.3.2017, wife of the petitioner moved a complaint to SP, Ferozepur against Raj Kumar regarding harassment. The petitioner in his statement recorded before DSP (City), Ferozepur admitted that he is in unauthorized possession of house/Ashram of Raj Kumar and his own house is in Bast Sode Wala, Near RSD College. Since, no evidence was led by the petitioner to prove the allegations that Raj Kumar was harassing him and further as per the report of the DSP City Ferozepur, the complaint made by the wife of the petitioner was filed as there was no trustworthiness in the same. The petitioner was directed to vacate the premises belonging to Raj Kumar.

Counsel for the petitioner has vehemently argued in support of the fact that the petitioner has been staying with his son. This argument will

not be sufficient to interfere in the impugned order as the petitioner himself has admitted in a police complaint made by his wife that he was in unauthorized possession of house/Ashram of Raj Kumar.

In view of all that has been discussed above, no ground is made out to interfere in the impugned order. Hence the same is dismissed.

July 26, 2018

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**(RITU BAHRI)
JUDGE**

Whether speaking/reasoned

Yes

Whether reportable

No