

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CWP No.1137 of 2019
Date of decision:-08.02.2019

Mam Chand

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. R.S. Mamli, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

As per pleadings on record, the only son of the petitioner namely Dinesh was involved in an accident at about 7.30 AM on 25.10.2017 at Bus Stand Chowk, Jagadhri and sustained multiple injuries and succumbed to the same.

Case projected on behalf of the petitioner is that Dinesh (since deceased) was proceeding on a motorcycle and was hit by an overloaded dumper which was being driven in a rash and negligent manner. It is argued that the police officials who were supposed to be on duty at the Chowk in question were negligent inasmuch as either they were not present at the spot or even if they were on duty they did not take steps to remove Dinesh from the spot of the accident and to facilitate immediate medical treatment.

It is against such backdrop that the directions are sought to the respondents authorities to take action against errant police officials.

Counsel for the petitioner has been heard at length.

The instant petition would involve questions of fact.

The finding of negligence against the so-called errant police officials may require evidence to be led.

These are the issues which cannot be determined by this Court in exercise of its extraordinary writ jurisdiction. As such while declining to interfere in the instant petition, liberty is granted to the petitioner to avail of his alternate remedies as mandated in accordance with law.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

08.02.2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No