

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

CWP No. 4950 of 2019
Date of decision:-25.02.2019

Loku Ram

.....Petitioner

versus

State of Punjab and others

.....Respondents

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

Present:- Mr. Arjun Lakhanpal Advocate
for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks a mandamus for directing the official respondents No.1 and 2, to grant to him protection against any illegal and unauthorized eviction from the premises in question. Further prayer is as regards seeking protection to the life and liberty of the petitioner as also his family members.

The petition is founded on the averments that the father of the petitioner namely Lakhu Ram, had taken on rent certain premises consisting of two tin sheds and four rooms vide rent note dated 28.01.1974 from one Tikan Dass son of Amar Dass.

Tikan Dass is stated to have expired many years back. Counsel would submit that there is a dispute *inter se* the legal heirs of Tikan Dass . The petitioner otherwise is ready and willing to deposit rent and he be not dispossessed otherwise than in accordance with law.

Insofar as retaining the property in question is concerned, this Court is of the considered view that the petitioner would have an efficacious alternate remedy of taking out appropriate civil proceedings.

Accordingly, with regard to such prayer, this Court would decline to intervene.

Insofar as the protection to life and liberty is concerned to the petitioner as also his family members, liberty is granted to the petitioner to approach the concerned SHO, having jurisdiction on the area.

In the eventuality of any such representation being filed, the SHO concerned would be obligated to examine the same and to thereafter take steps as he may deem fit and in accordance with law.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

25.02.2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No