

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

CRM-M No.2185 of 2017 (O&M)

Date of decision: 01.10.2019

Harwinder Singh and others

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. J.S. Warring, Advocate for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Jatinderpal Singh, Advocate for respondent No.2.

Mr. Puneet Pali, Advocate for respondent No.3.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for setting-aside the order dated 11.08.2016 passed by the Sub-Divisional Judicial Magistrate, Sri Muktsar Sahib vide which the application filed under Section 133 Cr.P.C., has been allowed as well as the order dated 02.11.2016 passed by the Additional Sessions Judge, Sri Muktsar Sahib vide which the revision filed by the petitioner has been dismissed.

While issuing notice of motion on 24.01.2017, status quo was ordered to be maintained with regard to the existing wall. The said order, however, was vacated on 05.04.2019 and the information was sent to the Executing Court for compliance.

Counsel for respondent No.2 submits that the wall has already been removed and placed on record the photographs, which is taken on record as Mark X.

Though, this fact is disputed by counsel for the petitioners,

however, in view of the same, the statement made by counsel for the respondent that the wall has been removed from the street, this petition is disposed of having been rendered infructuous.

Liberty is granted to the petitioners to approach the Civil Court for seeking declaration for the title of the land underneath the wall in dispute which stands demolished.

Liberty is also granted to the petitioners to revive the present petition in case the statement made by counsel for respondent No.2 is found to be false.

(ARVIND SINGH SANGWAN)
JUDGE

01.10.2019
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No