

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

115

CRM-M-12432 of 2019

Date of decision: 18.03.2019

Megh Raj

..Petitioner

Vs.

State of Punjab and Others

..Respondents

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Sunil K. Dixit, Advocate
for the petitioner.

HARINDER SINGH SIDHU, J.(ORAL)

Petitioner entered into an agreement to sell of plot comprised of Khewat/Khata No. 482/786, 1189/1824, Khasra No. 164//22 (3-12), 187//15 (9-1), 186//1/1 (4-7), i.e. 1 Kanal 6½ Marlas to the extent of 26¼/340 share; in the year 2002 with one Manjit Kaur wife of Amritpal Singh for a total sale consideration of Rs. 2,60,000/-. Out of that amount Rs. 1,30,000/- was given as earnest money. As Manjit Kaur did not execute the sale deed, the petitioner filed a Civil Suit bearing No. 362 of 2004 for specific performance against her. The suit was decreed vide judgment and decree dated 26.04.2005 passed by Civil Judge (Junior Division), Samana. No appeal was filed against that judgment which attained finality. The sale deed was executed in favour of the petitioner and possession was handed

over to him. Necessary mutation entry was also made.

The private respondents No.4 to 8 filed a suit for permanent injunction against the petitioner in respect of this very land. The suit was dismissed vide judgment dated 10.07.2015 of the learned Civil Judge (Junior Division) Samana. The appeal filed by the private respondents was also dismissed by the Additional District Judge, Patiala vide judgment dated 23.02.2016.

The grievance of the petitioner is that despite the clear title of the petitioner being established, the private respondents are harassing the petitioner and interfering in his peaceful possession and also giving life threats to the petitioner. They have also demolished the construction raised by the petitioner over the suit property.

The petitioner has filed a civil suit for permanent injunction for restraining the private respondents from interfering with his peaceful possession of the land. The said suit is pending and interim order in favour of the petitioner has been passed.

The petitioner has submitted a representation (Annexure P-5) before Senior Superintendent of Police, Patiala/respondent No.2 detailing the open threats by respondents No. 4 to 8 to cause harm to the life and property of the petitioner and their other illegal actions. However, no action has been taken.

Without commenting on merits of the case or opining on

the veracity of the allegations contained in the representation, this petition is disposed of with a direction to respondent No.2/ Senior Superintendent of Police, Patiala to look into the representation and take such action as may be warranted in law.

Petition stands disposed of.

March 18, 2019
Poonam Sharma

(HARINDER SINGH SIDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No