

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-7932-2019 (O&M)
Date of Decision: 12.04.2019

Ramesh Kumar

--Petitioner

Versus

State of Punjab and others

--Respondents

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

Present:- Mr. K.S. Khehar, Advocate for the petitioner.

Mr. Sahil Sharma, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

Petitioner has filed the instant writ petition seeking a Mandamus to direct the official respondents under the State of Punjab and particularly the Superintendent of Police, Amritsar (Rural) as also the Deputy Commissioner, Amritsar for providing police help to facilitate the harvesting of the crop pertaining to a parcel of land, the possession of which already stands delivered to the petitioner pursuant to certain litigation having come to an end.

The writ petition had come up for preliminary hearing before this Court on 26.3.2019 and while issuing notice of motion learned State counsel had been called upon to complete instructions as to whether the petitioner was not only the title holder but had also been delivered possession of the suit land.

During the course of resumed hearing today, learned State counsel upon instructions from Sh. Harphool Singh Singh Gill, Tehsildar, Ajnala, District Amrtisar makes a statement that the petitioner is the owner of 55 acres of land and the possession thereof also stands delivered to him.

Further stand taken is that there would be no legal impediment as regards

petitioner harvesting the wheat crop standing on such piece of land.

Learned counsel representing the petitioner has voiced an apprehension that the opposite party with whom a prolonged litigation had been fought would create a law and order situation at the stage of harvesting the wheat crop and which is to start w.e.f. 5.5.2019.

In the light of the statement furnished by learned State counsel upon instructions from Tehsildar, Ajnala and coupled with the apprehension voiced on behalf of the petitioner, instant writ petition is disposed of in terms of granting liberty to the petitioner to approach the S.S.P (Rural), Amritsar as also the Deputy Commissioner, Amritsar as regards the apprehension of law and order situation at the time of harvesting of the wheat crop.

It is directed that if any such representation is filed within a period of one week from today, the S.S.P (Rural), Amritsar as also Deputy Commissioner, Amritsar would be obligated to examine the same and to thereafter ensure that all the necessary steps are taken so as to obviate any law and order situation and untoward incident at the time of harvesting of the wheat crop on the land under the ownership and possession of the petitioner.

Petition is disposed of in the aforesaid terms.

(TEJINDER SINGH DHINDSA)
JUDGE

12.04.2019

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