

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

CRM-M-37771-2018 (O&M)

Date of decision: July 10, 2019

Avtar Singh Sidhu

....Petitioner

Versus

U.T., Chandigarh and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. G.S. Verma, Advocate
 for the petitioner.

Mr. Kuldeep Tiwari, Addl. PP. U.T., Chandigarh.

Mr. Shekhar Choudhary, Advocate
for respondent No.6.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for issuance of directions to respondents No.1 to 5 to protection the life and liberty of the petitioner at the hands of respondent No. 6 as she has a matrimonial dispute with her husband.

The petitioners are the parents-in-law of respondent No.6 and they have already filed petition under Section 21 and 22 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 seeking maintenance, protection of life and property viz. House No.1387, Pushpac Complex, Sector 49-B, Chandigarh and also for directions to respondent No.1 to vacate the house of the applicants, in which the competent authority has passed the order on 10.7.2018 directing the SHO, Police Station, Sector 49, Chandigarh to depute one Sub Inspector along with one lady Constable to visit the applicant fortnightly in order to ensure life and property of the applicant.

The only grievance of the petitioner is that the said order is not being adhered to by the police.

Learned Additional Public Prosecutor counsel, appearing for U.T., Chandigarh has, however, submitted that the police has been regularly visiting the house of the petitioner after recording DDR in this regard and at present there is no threat perception as it is a matrimonial dispute between respondent No.6 and her husband some litigation in this regard is pending.

Learned State counsel has also raised an objection that the petitioner has alternative efficacious remedy to file a statutory appeal under the Act if he is not satisfied with the execution of the order (Annexure P-1) and, therefore, this petition is not maintainable. Learned State counsel further submitted that as and when any order is passed by the competent authority, the police immediately execute the order and in the present case also, the police has visited the house many times and will further abide by any such direction given by the authorities.

In view of the same, the present petition has been rendered infructuous and the same is disposed of as such.

July 10, 2019
satish

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No