

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

CWP No. 22590 of 2019

Date of Decision:26.08.2019

Sukhdev Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

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

TEJINDER SINGH DHINDSA J.(Oral)

Petitioner seeks a mandamus for directing the official respondents to protect his life and liberty by voicing an apprehension and threat to the same at the hands of private respondents No. 4 to 6.

It has been pleaded that the petitioner alongwith certain other villagers and Sarpanch of Gram Panchayat Kohala, District Jalandhar, had submitted a complaint to the Block Development and Panchayat Officer, Bist Block, Jalandhar, with regard to an encroachment upon the street pertaining to Khasra No.83 against respondents No.4 to 6 in the year 2017. A petition in such regard is also stated to have been filed under Section 7 of the Punjab Village Common Lands Act, seeking ejectment of respondents No.4 to 6. Such petition is stated to have been allowed on 21.03.2018 vide Annexure P-2. Thereafter even warrants of possession have been issued by the District Development and Panchayat Officer, Jalandhar, and which was sent to the Sub Divisional Magistrate, Jalandhar for purposes of execution. Despite warrants of possession, no action has been taken till date.

Counsel submits that under such circumstances, petitioner has even filed CWP No.10879 of 2019 and which is pending motion hearing before this Court for 15.01.2020.

It is contended that against the factual backdrop noticed hereinabove, private respondents No.4 to 6 are repeatedly threatening the petitioner and on account of which he fears for his life and liberty.

Having heard counsel at length and without even ascertaining the correctness of the averments made in the petition, I deem it appropriate to dispose of the instant writ petition in terms of granting liberty to the petitioner to approach respondent No.2 i.e. Senior Superintendent of Police (Rural) Jalandhar, confined to the aspect of threat to his life and liberty.

In the eventuality of any such application/representation being made, respondent No.2 would be obligated to look into the matter and to thereafter take steps as he may deem fit and as warranted in accordance with law.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

August 26, 2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No