

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

**CWP No. 26754 of 2019
Date of Decision: 01.11.2019**

Gurmukh Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Rajesh Batheja, Advocate for the petitioner.

Mr. Abhay Pal Singh Gill, AAG, Punjab.

TEJINDER SINGH DHINDSA J.(Oral)

Petitioner filed the instant writ petition raising an allegation that a commercial vehicle of which he was the registered owner has been forcibly taken possession of by respondent No.3 i.e. Station House Officer, PS Mandi Gobindgarh, District Fatehgarh Sahib and other police officials of the police station.

On the previous date of hearing a copy of the writ petition was handed over to learned State counsel to complete instructions in the matter. Today learned State counsel has filed a response by way of affidavit of the Deputy Superintendent of Police, Sub Division Amloh, District Fatehgarh Sahib. The same is taken on record. Copy has been furnished to counsel opposite.

In the affidavit a stand has been taken that a commercial vehicle in a damaged condition was found parked on the GT Road in front of Nirankari Bahawan, Mandi Gobindgarh and which was an area where a green belt was to be developed.

Statement of SDO, Municipal Council, Mandi Gobindgarh had been got recorded that officials of the Municipal Council had been calling upon the people to remove the commercial vehicles which had been unauthorisedly parked. State counsel submits that such commercial vehicles were parked at the place as there was a motor repair work-shop being run by one Kuldeep Singh. Accordingly, it was Kuldeep Singh who was called upon to remove the said truck and on 06.06.2019 the vehicle was towed away and is presently parked in front of Bus Stand at Mandi Gobindgarh.

Learned State counsel upon instructions from ASI Dharam Pal, PS Mandi Gobindgarh, District Fatehgarh Sahib, who is present in Court submits that it would be open for the registered owner of the vehicle to take possession of the same.

In view of such categoric stand having been taken, no further directions are required to be passed.

(TEJINDER SINGH DHINDSA)
JUDGE

November 01, 2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No