

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-29817-2019

Date of Decision:-16.10.2019.

Gorakh Singh alias Chand Roop and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Digvijay Nagpal, Advocate for the petitioners.

SANJAY KUMAR, J. (Oral)

The petitioners seek a direction to the police authorities of the State of Punjab to protect their life and liberty from the alleged harassment by respondent Nos.4 to 11.

It is the case of the petitioners that they are entitled to collect alms / *wadhai* by customary right but the unofficial respondents are interfering therewith. Representation dated 20.08.2019 (Annexure P-1) was made by them to the Senior Superintendent of Police, Sri Muktsar Sahib, respondent No.2. They presently complain of inaction on the said representation.

As this Court does not propose to go into the merits of the matter, there is no necessity to put the unofficial respondents on notice or afford them an opportunity of hearing at this stage.

The State is duty bound to ensure law and order and protect the

life and liberty of all its citizens. However, the customary right claimed by the petitioners is neither manifest nor would it be possible for this Court to adjudicate upon the same in a writ petition filed under Article 226 of the Constitution. To the limited extent of protecting their life and liberty, the petitioners would be entitled to have their representation dated 20.08.2019 (Annexure P-1) considered on its own merits.

The writ petition is accordingly disposed of directing respondent No.2 to consider the aforesaid representation dated 20.08.2019 (Annexure P-1) on its own merits and take appropriate action, as warranted, in accordance law.

(SANJAY KUMAR)
JUDGE

October 16, 2019.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.