

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

Sr. No.108

CRM-M-50377 of 2019

DECIDED ON: November 27, 2019

ANITA GUPTA AND OTHERS

..PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Pawan Kumar, Senior Advocate with
Mr. Surya Kumar, Advocate,
for the petitioners.

SUDHIR MITTAL, J. (ORAL)

Learned Senior Counsel for the petitioners submits that the civil Court has decided a suit in favour of the petitioners upholding their possession. Despite the same, the private respondents are interfering in their possession and are threatening them. When a complaint was made to the police, the Deputy Superintendent of Police concerned deferred any action awaiting legal opinion from the District Attorney. Meanwhile, both parties were restrained from entering the land in dispute. Now, the private respondents have been permitted to enter the land in dispute but the petitioners have been kept out. Representation dated 28.05.2019 (Annexure P-10) has been made to the Senior Superintendent of Police, Patiala but no action has been taken thereupon till date.

Notice of motion to respondents No.1 to 6 only.

Mr. Amandeep Singh Gill, Sr. DAG, Punjab, accepts notice on behalf of the State of Punjab-respondents No.1 to 6. Six copies of the paper book be supplied to him during the course of the day.

Considering the nature of the order being passed there is no necessity to serve the private respondents. There is also no necessity to seek a reply from any one of the respondents.

The petition is disposed of with a direction to respondent No.4 to objectively consider the representation dated 28.05.2019 (Annexure P-10) in the light of the Civil Court Decree dated 29.07.2013 (Annexure P-1), which has become final between the parties and to pass a speaking order within a period of four weeks from the date of receipt of certified copy of this order.

Meanwhile, it shall be ensured that no harm comes to the petitioners. He shall also examine how a person in settled possession can be directed not to enter his own property.

Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No