

Gurnam Singh

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Gaurav Khokar, Advocate, for
Mr. Sanjiv Kumar Aggarwal, Advocate,
for the petitioner.

Mr. Rajinder Kumar, D.A.G., Haryana.

Mr. Ivneet Pabla, Advocate,
for respondents no. 4 to 6.

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

By this petition, the petitioner seeks a direction to respondents no. 1 to 3 to protect the life, liberty and property of the petitioner, his wife Smt. Kirpal Kaur and his son, Kuldeep Singh, from respondents no. 4 to 6, who are bent upon 'eliminating' them because of a grudge against the petitioner for not transferring his share in joint land in favour of respondents no. 4 to 6.

Pursuant to the last order passed, a status report by way of an affidavit of the DSP, Kurukshetra, has been filed, stating therein that there is some dispute of land between the petitioner and his sons, i.e. respondents no. 4 to 6 and that in fact security has been provided to the petitioner, though now he has no threat perception and that he has given an affidavit to that effect.

Learned counsel for the petitioner submits that the petitioner does not dispute the above, provided respondents no. 4 to 6 give an undertaking that they will not trouble/torture the petitioner, i.e. their father.

Learned counsel for the said respondents submits that in fact the petitioner had willingly given some land to them and now only on the instigation of another son, he is reneging from that promise.

Having considered the matter, if there is any land dispute of which any party is aggrieved, the proper forum obviously is the civil court, for a declaration to any effect or even if any party seeks an injunction against the other, which obviously would be considered on its own merits by the competent court.

As regards protection of life and liberty of the petitioner who is stated to be the 70 year old father of respondents no. 4 to 6, this petition is disposed of with a direction to the respondent-State to ensure that his life and liberty is duly protected, as per law.

August 24, 2020
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes