

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

CRWP-4918-2020 (O&M)
Date of decision : 16.07.2020

Mohni Ram

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Anureet S. Sidhu, Advocate for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

ANIL KSHETARPAL, J. (ORAL)

The petitioner has filed the present criminal writ petition under Article 226 of the Constitution of India for the issuance of the directions to respondent No.2 to provide adequate security and safety to him.

The petitioner is alleged to have filed a civil suit in which a temporary injunction was granted to him vide order dated 17.06.2020. The same reads as under:-

“Report of the Reader perused. It be registered.

Alongwith the main suit, the plaintiff has moved an application Under Order 39 Rule 1 and 2 CPC read with section 151 CPC. Learned Counsel for the plaintiff through V.C argued that the plaintiffs are in actual possession of suit property but the defendants whose land adjoins the land of the plaintiff are bent upon interfering into the possession of the plaintiffs forcibly.

In order to substantiate his contentions, the plaintiff placed on record the Jamabandi for the year 2016-17 and Khasra Girdawari. Perusal of the documents so placed on record, makes a prima facie case in favour of plaintiff. At this stage, keeping in view the arguments advanced by learned counsel for the plaintiff and documents placed on record, I deem it fit to restrain the defendants from forcibly dispossessing the plaintiffs from the suit property except in due course of law till the next date of hearing.

Plaintiff is directed to comply with provision under Order 39 Rule 3 CPC. Plaintiff is further directed to take the summons dasti and to get the service effected upon the defendants failing which exparte order granted to the plaintiff shall stand vacated automatically. Notice of the suit be given to the defendants through Whatsapp number/ Email/ ordinary process for 03.07.2020 on filing of copy of plaint, copies of documents PF/RC/AD etc. Dasti summons be issued if requested.”

Learned counsel for the petitioner, after arguing at length, prays for permission to withdraw the present criminal writ petition.

Ordered accordingly.

16.07.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No