

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

CR No.2075 of 2020
Date of decision 27.07.2020

Paramjit Kaur

...Petitioner

Vs.

Sukhwinder Kaur and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Parampreet Singh Paul, Advocate,
for the petitioner.

Ritu Bahri, J. (oral)

Petitioner is seeking direction to the trial Court i.e. Civil Judge (Junior Division), Rupnagar, to decide application dated 15.06.2020 (Annexure P-5), whereby police help is being sought, so that applicant-petitioner can go to the land and sow paddy and other crops thereon.

The background of filing application dated 15.06.2020 (Annexure P-5) is that present petitioner purchased the suit land, mentioned in the head note of the plaint, through sale deed dated 05.12.2019 bearing Vasika No.1300 dated 05.12.2019, from the original owners namely Rajinder Singh son of Sucha Singh and Ranjit Singh son of Hukam Singh, residents of village Lohar Majra Khurd, Tehsil Khamano, District Fatehgarh Sahib. On the basis of said sale deed, mutation No.1148 was entered in the name of petitioner in the revenue record on 10.12.2019. At the time of purchase, possession of the suit land was given to the petitioner.

Original owners namely Rajinder Singh and Ranjit Singh had filed a suit for permanent injunction restraining the defendants from entering into the peaceful possession of the suit property. The said suit was

decreed vide judgment dated 23.02.2016 (Annexure P-1).

In December, 2019, petitioner prepared the land for cultivation purpose and had sown wheat crop in some part of the land. She had also sown *barsin* crop in other part of the land. But, the defendants-respondents started creating obstruction. They illegally and forcibly cut and removed the crop from the suit land. Therefore, the petitioner was forced to file a suit for permanent injunction (Annexure P-2). Vide order dated 20.02.2020 (Annexure P-3), the Court of Civil Judge (Junior Division), Rupnagar, restrained the defendants-respondents from interfering into the possession of plaintiff-petitioner and from dispossessing the plaintiff from the suit property. However, the defendants-respondents forcibly cut and removed the wheat crop. As per report, which is part of the file of trial Court, given by the SHO, Police Station, Morinda, District Rupnagar, respondent Nos. 1 to 4 had cut the wheat crop. Thereafter, petitioner filed an application under Order 39 Rule 2-A CPC for initiating the content proceedings against the defendants-respondents. Consequently, the petitioner filed an application dated 15.06.2020 (Annexure P-5) for the police help, which is pending consideration before the trial Court.

Short prayer in the present petition is to give direction to the trial Court to pass a final order on the application dated 15.06.2020 (Annexure P-5).

Heard.

Keeping in view that report of the SHO, Police Station, Morinda, District Rupnagar, is part of the trial Court record whereby respondent Nos.1 to 4 have been found to have cut the crop standing on the suit land, this petition is disposed of by giving direction to the trial Court to

pass a final order on the application dated 15.06.2020 (Annexure P-5) in accordance with law, within a period of two weeks from the date of receipt of certified copy of this order.

27.07.2020
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No