

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 11600 of 2020 (O&M)

Date of Decision: 21st August, 2020

Balbir Singh Jaggi

....Petitioner

VERSUS

State of Punjab and others

....Respondents

CORAM: JUSTICE S. MURALIDHAR
JUSTICE AVNEESH JHINGAN

Present: Mr. D.K. Bhatti, Advocate for the Petitioner.

Mr. Sahil Sharma, Deputy Advocate General, Punjab.

Mr. Deepinder Singh Patwalia, Senior Advocate with
Mr. Prateek Gupta, Advocate for Respondent Nos. 5 to 7.

Dr. S. Muralidhar, J.

CM-CWP-7667-2020

1. This is an application for placing on record the daily status of the Court of Civil Judge, Junior Division-14, Jalandhar.

2. For the reasons stated therein, the application is allowed. The daily status of the Court of Civil Judge, Junior Division-14, Jalandhar is taken on record as 'Annexure A'.

CWP-11600-2020

3. Mr. D.K. Bhatti, learned Counsel for the Petitioner has placed on record a copy of the daily status of the Court of Civil Judge, Junior Division-14, Jalandhar, which reflects that the suit filed by the Petitioner, stands withdrawn as on 10th August, 2020.

4. Mr. D.S. Patwalia, Senior Advocate, appearing on advance notice for Respondent Nos. 5 to 7, states that as a one-time measure, without prejudice to the rights and contentions of Respondent Nos. 5 to 7 and without in any way admitting to the correctness of the disputed questions of facts raised in the petition, Respondent Nos. 5 to 7 are agreeable to the removal of the vehicles of the Petitioner in the presence of any officer, who may be nominated for that purpose by this Court. He states that the other issues raised in the petition, which are disputed by the Respondent Nos. 5 to 7, may be examined by the concerned authorities on a proper representation made by the Petitioner in that regard.

5. Mr. D.K. Bhatti, learned Counsel for the Petitioner is also agreeable to the above suggestion.

6. Mr. Sahil Sharma, Deputy Advocate General appearing for the State of Punjab and Respondent Nos. 2 to 4 suggests that the officer in whose presence the above one-time step can be taken would be the Sub-Divisional Magistrate, Jalandhar.

7. It is accordingly directed that in the presence of the learned Sub-Divisional Magistrate, Jalandhar, the Petitioner will be permitted to remove the vehicles from the garage in his possession on 24th August, 2020 at 11.00 a.m. As regards the other issues raised by the Petitioner, it will be open to him to make a representation, in the first instance, to the Deputy Commissioner, Jalandhar, who will examine such representation, if and when it is made, and pass an appropriate order thereon in accordance with law at the earliest.

8. It is clarified that this is only a one-time measure and without prejudice to the rights and contentions of the parties, as noted hereinabove.

9. The petition is disposed of in the above terms.

(S. MURALIDHAR)
JUDGE

(AVNEESH JHINGAN)
JUDGE

21st August, 2020
jk

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