

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

**114**

**CRWP-6175-2020**

**Decided on : 20.08.2020**

Balraj Singh

... Petitioner

Versus

State of Punjab & others

... Respondents

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA**

Present: Mr.H.S.Dhaliwal, Advocate, for the petitioner.

(The proceedings are being conducted through video conferencing,  
as per instructions.)

**G.S. Sandhawalia, J. (Oral)**

Present petition, filed under Articles 226/226 of the Constitution of India, seeks issuance of a writ in the nature of mandamus directing the respondents No.1 to 3 to protect the life and liberty of the petitioner and his family members at the hands of respondents No.4 to 7. Further direction is sought to decide the representation dated 11.08.2020 (Annexure P-3).

A perusal of the petition would go on to show that the dispute allegedly arises out of an agreement to sell dated 17.07.2020 (Annexure P-2) by mother of the petitioner and the petitioner is only a witness to the said agreement and not the owner of the property. Similarly, as per the agreement, the right of possession had been given to the vendee, Khilwant Rai. Now the allegations are that the private-respondents are interfering in the possession of the petitioner.

In such circumstances, this Court is of the opinion that the petitioner and his family members/vendee have an alternative and efficacious remedy to approach the Civil Court regarding the interference in their possession at the spot, if any.

Accordingly, this Court does not feel that it is a fit case for interference in the extraordinary jurisdiction, in the above, facts and circumstances. Resultantly, the present petition is dismissed in limine.

**(G.S. SANDHAWALIA)**  
**JUDGE**

**AUGUST 20, 2020**

*sailesh*

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No