

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

112

**CRWP No.6273 of 2020
Date of Decision: 21.8.2020**

SARWAN KUMAR AND ANR **Petitioners**
Vs

STATE OF PUNJAB AND ORS
Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. S.K.Singla, Advocate,
for the petitioners.

RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through video-conferencing.

Petitioners have prayed for issuance of appropriate directions to respondent No.2 to protect their lives and liberties and also to direct respondents No.3 and 4 not to harass the petitioners by calling them frequently in the police station and making them to sit in the police station for hours together without there being any justifiable ground.

Learned counsel for the petitioners contends that petitioner No.1 is the president of Truck Union, Balachaur. He was unanimously appointed as president vide resolution dated 7.5.2017 for a period of three years. Vide resolution dated 31.3.2020, it was decided by the Union that as per Government instructions, gathering of people in the elections have been banned and, therefore, till the effect of pandemic Covid-19,

the election of the Union was postponed and petitioner No.1 shall remain president of the Union till such time. Private respondents No.5 to 7 wanted to take control and possession of the Union forcibly and they started interfering in the administration of the affairs of the Union. Private respondents have relations with respondents No.3 and 4 and at the instance of private respondents, respondents No.3 and 4 detained the petitioners in the police station without any reason on 24.6.2020, 27.6.2020, 10.7.2020, 18.7.2020, 24.7.2020, 28.7.2020, 3.8.2020 and 5.8.2020 in order to put pressure on the petitioners to accede the illegal demand of the private respondents and also to hand over the charge of the truck union to respondents No.5 to 7.

Precisely, for the grievance of the petitioners, they have approached respondent No.2 by way of representation dated 17.7.2020, which is still pending before the said authority.

Notice of motion.

On the asking of the Court, Mr.Ramandeep Sandhu, Sr.D,A.G.Punjab accepts notice on behalf respondents No.1 to 4.

In view of nature of order which this Court proposes to pass, there is no necessity of calling upon any response from the respondents.

In view of above, without meaning anything on the

merits of the case, this petition is disposed of by directing respondent No.2 to have a fair look on the representation filed by the petitioners and decide the same in accordance with law without being influenced by any statement of fact recorded herein above. It would be appreciated if the representation filed by the petitioners is decided within a period of one month from the date of receipt of certified copy of this order.

(RAJ MOHAN SINGH)
JUDGE

August 21, 2020

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1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No