

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

CRWP-6657-2020

Date of decision :01.09.2020

Karamjit Kaur and others	Vs.	...Petitioners
State of Punjab and others		...Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Manoj Kumar Sharma, Advocate for the petitioners.

ALKA SARIN, J. (ORAL)

Heard through Video Conferencing.

By way of present Criminal Writ Petition filed under Articles 226/227 of the Constitution of India, the petitioners are seeking protection of their lives and liberty at the hands of respondent Nos.4 to 12.

It has been averred in the present petition that the petitioner No.1 - Karamjit Kaur - is residing in the house of one Gurjeet Kaur w/o Gurdev Singh and that the said Gurjeet Kaur has a property dispute with respondent Nos.4 to 12 who are putting pressure on the petitioners to vacate the house. Learned counsel for the petitioners further contends that the owner of the house has never asked the petitioners to vacate the house.

Notice of motion.

On the asking of the Court, Mr. Ramandeep Sandhu, Senior DAG, Punjab has joined the session through Video Conferencing and accepts notice for official respondents and, on instructions from ASI Amarjit Singh, has stated that the property in which the petitioners are alleged to be residing is admeasuring 25 marlas (15 marla is vacant land and on 10 marla the house is constructed) and is owned by one Gurjeet Kaur. The said Gurjeet Kaur has entered into agreement to sell with respondent No.4 qua 15 marlas of the vacant land and was now not handing over possession of 15 marlas to respondent No.4. The learned State Counsel has further contended that this is a civil dispute and the petitioners ought to have approached the Civil Court.

Heard learned counsel for the parties.

The allegations in the writ petition are against respondent Nos.4 to 12 who are stated to be interfering and threatening the petitioners. The owner of the property is admittedly Gurjeet Kaur. It is not a case where Gurjeet Kaur wants the petitioners to vacate the premises. Gurjeet appears to have entered into an agreement to sell qua 15 marlas of land, out of total 25 marlas, with respondent no.4 but that would not give any right to the private respondents to threaten the petitioners to vacate the house.

Without expressing any opinion with regard to the veracity of the contents of the petition and the submissions made by learned counsel for the petitioners, the present petition is disposed of with a direction to respondent No.2 - Senior Superintendent of Police, Tarn Taran, District Tarn Taran (Punjab) to consider the representation dated 20.08.2020 (Annexure P-1) and take necessary action as per law after hearing all the parties concerned

It is, however, made clear that this order shall not, in any manner, be construed as an expression of the opinion on the merits of the case and shall have no effect on any other civil or criminal proceedings, if any, instituted/pending against them.

September 01, 2020
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(ALKA SARIN)
JUDGE

Whether speaking/reasonable: Yes/No.
Whether reportable : Yes/No.