

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-27876-2020 (O&M)

Date of Decision:- 15.9.2020

Hardial Kaur and another

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Narender Singh Kamboj, Advocate, for the petitioners.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

There is apparently a dispute as regards possession of land measuring 34 kanals 15 marlas between petitioner No.2 Rajinder Singh and respondents No.7 to 10. Petitioner No.2 claims to be in possession over the said property and claims to have perfected his title by way of adverse possession and has also filed a civil suit (Annexure P-8) seeking such a declaration. Petitioners also relies upon a report (Annexure P-2) made by the police as regards their possession which was made on application dated 23.4.2020 (Annexure P-1).

On the other hand, respondents No.7 to 10 claim to have purchased the said property from respondent No.11-Gurdeep Singh vide sale deed dated 30.12.2019 as is reflected from the allegations levelled in FIR dated 11.7.2020 (Annexure P-4), lodged at the instance of respondent No.7-Gursewak Singh.

The aforesaid FIR (Annexure P-4) has been lodged by Gursewak Singh alleging therein that he is in possession over the property in question and that the petitioner No.2 and others were interfering in his possession. Since it is a matter where both the parties are claiming possession over the property in question, therefore, without making any expression as regards the respective claims of the parties, the petition is disposed of with a direction to the Senior Superintendent of Police, District Faridkot (respondent No.3) to look into the matter and to dispose off the representation dated 21.7.2020 (Annexure P-5) in accordance with law while taking into account all such evidence which may be produced by the parties to substantiate their respective claims as regards the possession over the property in question.

A copy of representation Annexure P-5 and copy of this order be sent to the Senior Superintendent of Police, District Faridkot (respondent No.3) so as to ensure that the matter in question is got inquired into fairly and impartially and a final report is submitted thereafter at the earliest.

September 15, 2020

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No