

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

CRM-M-36248-2020

Date of decision: 06.11.2020

Balwant Singh (Numberdar)

....Petitioner

versus

State of Punjab and others

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Y.M. Bhagirath, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Petitioner-Balwant Singh (Numberdar), stated to be aged 81 years, has filed the present petition *inter alia* with a prayer for issuance of directions to respondents No.1 to 3 for restraining the unofficial respondents from illegally cutting the harvesting of the crop sown by the petitioner over the land measuring 81 bighas 0.4 biswas in Village Ghudani Kalan and Village Ghaloti as described in Para 2 of the petition and the petitioner being owner and in possession of the land in question be allowed to enjoy the ownership and possession over the land for which the decree of permanent injunction protecting possession of the petitioner has been passed by the Appellate Court vide order dated 29.04.1987 (Annexure P-1) and upheld by this Court vide

judgment dated 28.11.2016 (Annexure P-2).

Learned counsel for the petitioner, based on the pleadings in the petition, submits that the petitioner is in peaceful possession of the land measuring 81 Bighas 04 Biswas and 14 Biswas comprised in Khasra No.1061, 1060/1, 1058, 1059, 1062, 1060, 1120, 1121, 1639, 1640, 1641 and 1642, in Village Ghudani Kalan and 36 Bighas 10 biswas comprised in Khasra Nos.2352, 2351/1, 2351, 2349, 2390, 2389 and 2350 in Village Ghaloti, Tehsil Payal, District Ludhiana. He submits that since last more than 35 years, he is having all the revenue records/entries in his favour. He further submits that in the petition, reference has also been made to the Civil Litigation since the year 1985 till 2016.

Learned counsel for the petitioner further submits that for the same/similar grievance as made in the petition, the petitioner had filed a written representation dated 17.08.2020 (Annexure P-9) before The Senior Superintendent of Police, Police District, Khanna (respondent No.2) *inter alia* with a request for taking action against the persons named therein. It is submitted that as per the subject of the representation, it has been alleged that the said persons are illegally cutting the crops of the petitioner forcibly.

Notice of motion.

On asking of the Court, Mr. Saurav Khurana, DAG, Punjab, accepts notice on behalf of respondents No.1 to 3.

In view of the above, without commenting upon merits of the case, the present petition is **disposed of** with a direction that in case, the petitioner approaches the police authorities concerned, with above representation (Annexure P-9) or any other representation being filed before the Competent

Authority concerned, the same shall be got examined by respondent No.2, as expeditiously as possible, preferably within two months from the date of receipt of copy of this order, in accordance with law and necessary steps as may be warranted under the facts and circumstances of the case, be taken thereupon forthwith.

A copy of this order be sent by the Registry to respondent No.2, through e-mail or any other mode, so as to enable the said authority to do the needful expeditiously.

Ordered accordingly.

(GIRISH AGNIHOTRI)
JUDGE

06.11.2020

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Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No