

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 24049 of 2017
Date of Decision:25.02.2020

Paramjit Kaur

.....Petitioner

Versus

Union of India and others

..... Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Ms. Sunaina, Advocate
for the petitioners.

Mr. Satya Pal Jain, Additional Solicitor General of India
with Mr. Vijay Kumar Chaudhary, Advocate,
for respondent-UOI.

LISA GILL, J(Oral).

Prayer in this writ petition is for directing respondents no.1 and 2, to take up the matter regarding the whereabouts of the petitioner's father- Jagraj Singh, who is stated to have been serving the Indian Army-102 Engineer Regiment.

It is averred that Jagraj Singh, was erroneously presumed to be killed in action in the 1971 War and letter to this effect was issued to his widow i.e. the petitioner's mother. However, the petitioner, it is stated received information that Jagraj Singh, was in-fact captured by the Pakistan Army and he is confined in a jail in Pakistan. It is further stated that as per some information received by the petitioner, Jagraj Singh was further handed over to the authorities of Saudi Arabia and was reportedly jailed in

Oman. It is brought to my notice that CWP No. 10771 of 2017, involving a similar issue, has been disposed of on 14.11.2019. It is specifically observed therein that :

“As far as the prayer/s for directions to the Central Government asking it to take up the matter with Government of Pakistan are concerned, no such directions can be issued by this Court in exercise of jurisdiction under Article 226 of the Constitution and that too without verifiable facts available on record, except to say that the Central Government and the State Government will keep their eyes and ears open in the search of the petitioner’s husband thought to be languishing in a jail in Pakistan, through the diplomatic channels.

7. With these observations, the petition stands disposed of.”

Learned counsel for the petitioner, is unable to deny that the petitioner is identically placed as the petitioner in CWP No. 10771 of 2017.

Keeping in view the facts and circumstances as above, this writ petition is disposed of with the similar observation that in case, any reliable information is received by the Central or State Government, in respect to the whereabouts of the petitioner's father-Jagraj Singh, needless to say, necessary action shall be taken.

Writ petition is accordingly disposed of.

25.02.2020
s.khan

[LISA GILL]
Judge

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