

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

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CRWP-10857-2020 (O&M)

Date of decision : 23.12.2020.

Farooq Masih

.....Petitioner

Vs.

State of Punjab and Others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Aditya Pratap Singh, Advocate for the petitioner.
Mr. V.G.Jauhar, Sr. DAG, Punjab.
Mr. Arjun Sheoran, Advocate for respondent No.5.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The petitioner has approached this Court by way of the present criminal writ petition under Articles 226/227 of the Constitution of India for grant of protection to the petitioner on the ground that he is a Clergy Archbishop of Anglican Church and was appointed as its Priest on 25.11.2018 and he has been authorised to take care of the Church property. It has further been averred in the petition that the private respondents are likely to create hindrance during the Christmas celebrations and hence he has sought protection.

Mr. V.G.Jauhar, Sr. DAG, Punjab, on instructions from SI Jabarjit Singh, has stated that these are rival groups and adequate arrangements would be made to ensure that both the parties are able to carry out their Christmas celebrations in a peaceful manner.

Mr. Arjun Sheoran, Advocate has put in appearance on behalf of respondent No.5 and has disputed the averments made in the present petition. The learned counsel would further state that it is

respondent No.5 who is actually incharge of the Church property.

In view of the fact that disputed questions of fact are involved in the present case which disputed facts cannot be determined by this Court in writ jurisdiction, the reliefs claimed by the petitioner cannot be granted in the present petition.

Faced with the situation, the counsel for the petitioner prayed that the petitioner may be permitted to approach the concerned District Magistrate with a representation.

The present petition is disposed off granting liberty to the petitioner avail the remedies which may be available to him in law.

Disposed off.

December 23, 2020
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(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Yes/No
 Whether reportable: Yes/No