

CRWP No.327 of 2021 (O&M)
DATE OF DECISION: 13.01.2021

Joge Shah

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Talwinder Singh, Advocate for the petitioner

..

ALKA SARIN, J. (Oral):

Heard through video conferencing.

The present Criminal Writ Petition under Article 226 of the Constitution of India has been filed for issuance of a writ/direction directing respondent Nos.2 to 4 to protect the life and liberty of the petitioner at the hands of respondent Nos.5 to 9.

The learned counsel for the petitioner would contend that Joge Shah is the Mahant of Dera Baba Rodu Shah and prior to him Sant Darbara Singh was the Mahant who had, vide Will dated 03.09.1998, appointed the petitioner as the Mahant. The petitioner, who is 78 years of age now, has executed a Will dated 16.10.2015 in favour of one Jupee Shah. The respondents, who came to know about the said Will, have been threatening the petitioner to change his Will and appoint someone else as the Mahant of the Dera. The learned counsel would contend that the petitioner apprehends danger to his life and liberty at the hands of the private respondents. The petitioner is also stated to have given a representation dated 08.01.2021 in this regard, which has been annexed as Annexure P-4 with the present petition. The counsel for the petitioner would further contend that he limits his prayer in the present petition and would be satisfied at this stage if directions are issued for deciding the said representation in accordance with law.

Notice of motion to the official respondents only. In view of the limited prayer made by learned counsel for the petitioner, the service on the remaining respondents is dispensed with.

On the asking of the Court, Mr. V.G. Jauhar, Senior Deputy Advocate General, Punjab has joined the session through video conferencing and accepts notice on behalf of respondent Nos.1 to 4.

Mr. Jauhar, learned Senior DAG, Punjab, on instruction from ASI Jagbir Singh, has stated that the concerned officials have already visited the Dera and recorded the statement of the petitioner and that the needful will be done to address the apprehension of the petitioner. Learned State counsel further submits that a decision would also be taken on the representation dated 08.01.2021 (Annexure P-4) in a time-bound manner.

In view of the above and considering the limited prayer made by learned counsel for the petitioner, the present petition is disposed off with a direction to the Senior Superintendent of Police, Ludhiana (respondent No.3) to decide the representation dated 08.01.2021 (Annexure P-4) in accordance with law within a period of 15 days from today.

(ALKA SARIN)
JUDGE

13.01.2021
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NOTE: Whether speaking/non-speaking: Speaking Whether reportable: YES/NO
