

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

**CRM-M-10047-2021
Date of decision: 04.03.2021**

Inderjit Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Ravindra Jain, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for issuance of directions to official respondents to take appropriate against the private respondents on the complaint given by the petitioner.

Learned counsel for the petitioner submits that with regard to disputed land, the petitioner has filed a civil suit praying for decree of permanent injunction against the private respondents and the Civil Court, in an application filed by the petitioner under Order 39 Rule 1 and 2 CPC, has restrained the private respondents, who are defendants, from causing any sort of interference in the suit land till the decision of the suit, vide order dated 12.11.2018 (Annexure P-2).

Learned counsel for the petitioner further submits that thereafter the private respondents started interfering in the possession of the suit land and he has already filed an application before the Civil Court, under Order 39 Rule 1 and 2 CPC, for directing the police to provide police help, however, the said application was dismissed with the observation that if any criminal intimidation is done being punishable under Section 506

IPC, the petitioner may take appropriate action, vide order dated 15.01.2021.

On the face of it, the order dated 15.01.2021, dismissing the application of the petitioner, is legally incorrect as the Civil Court has the powers to enforce its own order by issuing appropriate orders to the police authorities.

Accordingly, the present petition is disposed of with a direction to Additional Civil Judge (Sr. Divn.), Yamuna Nagar at Jagadhri to redetermine the application within a period of 15 days, on receiving a certified copy of this order, by treating the same an application under Order 39 Rule 2-A of CPC for the strict compliance of its own order dated 12.11.2018.

04.03.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No