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

**CRWP-5994-2021**

**Date of decision-01.07.2021**

**Harsimranjit Singh****...Petitioner**

**Vs.**

**State of Punjab and others****...Respondents****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Gaurav Sharma, Advocate for the petitioner.

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**MANOJ BAJAJ, J.**

The petitioner has filed this writ petition under Article 226 Constitution of India for issuance of a writ of mandamus by way of directions to the official respondent Nos.2 to 4 for providing protection to his life and liberty and property from the hands of respondent Nos.5 to 8.

Learned counsel for the petitioner has argued that the petitioner being partner of M/s Unicon Builders and Contractors is in possession of land belonging to Municipal Committee, which was given to him on lease. He submits that on 28.06.2021, official respondent Nos.5 to 8 attempted to take forcible possession of the land and in this regard he has given representation to the Senior Superintendent of Police, Barnala on 28.06.2021 (Annexure P-4), but as no action is being taken upon the same, therefore, he prays for

issuance of necessary directions to respondent Nos.2 to 4.

When confronted with the maintainability of the writ petition, as the petitioner can avail alternative remedy of filing the suit, learned counsel has pointed out that he has already filed a civil suit bearing No.519-2021, titled as “M/s Unicon Builders Vs. Municipal Committee”, wherein notice has been issued for 05.07.2021. Learned counsel is unable to justify the filing of the petition that too without disclosing the particulars of the suit either in the representation or in the writ petition.

Apparently, the petitioner has concealed the material facts from this Court and has invoked the extra ordinary writ jurisdiction without a valid cause of action, therefore, this Court finds it to be a fit case for burdening the petitioner with costs.

Resultantly, the petition is dismissed and it is ordered that the petitioner shall deposit a sum of Rs. 20,000/- with Punjab and Haryana High Court Employees' Welfare Association within a period of two months.

Chief Judicial Magistrate, Barnala shall ensure the recovery and deposit of the costs.

**(MANOJ BAJAJ)**  
**JUDGE**

**01.07.2021**

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| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |