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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP No.8272 of 2021 (O&M)

Date of decision: 02.09.2021

Gurdev Kaur Dhillon

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. K.S. Sidhu, Advocate
for the petitioner.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this writ petition is for issuance of a direction to the official respondents to protect the life, liberty and property of the petitioner and her family members, at the instance of the private respondents and to take action on the complaint (Annexure P2) filed by her.

Counsel for the petitioner has argued that the petitioner has already filed a civil suit titled as “*Gurdev Kaur vs Baljeet Singh and others*”, regarding 19 kanals and 0 marla of land and in an application filed along with the suit under Order 39 Rules 1 and 2 CPC, the private respondents are restrained from encroaching upon or dispossessing the plaintiff or interfering in the possession of the plaintiff, however, the injunction qua the khal/water Channel, was dismissed. It is further submitted that after that on 20.08.2021, the private respondents have started stealing the water, which was in the paddy crops in the abovesaid number and have also damaged some of the crops.

Counsel for the petitioner has relied upon certain

CASE HEARD THROUGH VIDEO CONFERENCING

photographs.

A perusal of the said photographs would show that there is a water channel and it appears that the private respondents have diverted the water into their own khasra number.

Be whatsoever, on the face of it, it is a civil suit and the petitioner has an alternative remedy of filing the application under Order 39 Rule 2-A CPC before the Court below and to move an appropriate application before the said Court for providing police help, if so required.

The petition is disposed of, accordingly.

(ARVIND SINGH SANGWAN)
JUDGE

02.09.2021

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No