

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

**CWP-19540-2021 (O&M)
Date of Decision: 27.09.2021**

PREETO BAI AND OTHERS

..... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Lupil Gupta, Advocate
for the petitioners.

Mr. Abhay Pal Singh Gill, Asst. AG., Punjab.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to the outbreak of pandemic, COVID-19.

Petitioners seek a direction to respondents no.1 to 5 to ensure protection of their life and property as they apprehend danger at the hands of respondents no.6 to 14.

Learned counsel for the petitioners submits that there is a civil suit pending between the parties in respect to land and specifically in respect to a passage. Learned counsel submits that the grand father of petitioners no.2 & 3 and respondents no.6 to 8 had specifically provided that the area would be used as passage by all the families but after the death of husband of petitioner no.1 and father of petitioners no.2 and 3, private respondents started creating obstruction therein. It is submitted that a civil suit for permanent injunction was filed by the petitioners wherein status quo

in regard to the passage in question was ordered to be maintained by the parties on 15.07.2021. Despite status quo order, respondents no.6 to 14 forcibly cultivated the passage in question on 15.08.2021 at 9:30 A.M., with the aid of 15 to 20 unknown persons armed with deadly weapons. Copy of order dated 15.07.2021 was duly shown to them but in vain. It is submitted that representations and complaints were submitted by the petitioners to the police authorities but no action has been taken thereon. Learned counsel for the petitioners further submits that petitioners apprehend danger to their life and liberty as the private respondents came to the spot duly armed.

I have heard learned for the petitioners at length.

Pendency of the civil suit between the petitioners and the private respondents is a matter of record. Admittedly, petitioners have an efficacious alternate remedy in so far as the allegation of private respondents taking illegal possession of the land is concerned. Therefore, no interference is called for in this respect in the present proceedings. Needless to say petitioners are at liberty to avail the remedy/remedies as are available to them for this aspect.

In so far as, apprehension regarding petitioners' life and liberty is concerned, in case any such apprehension or grievance is raised before respondent no.3, the same shall be looked into by respondent no.3 and necessary action, if any/as may be required shall be taken in accordance with law.

Writ petition is disposed of accordingly.

(LISA GILL)
JUDGE

27.09.2021
Sunil

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No