

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

**CWP-6285-2020 (O&M)
Date of decision: 14.03.2022**

Kamaljit Kaur

... Petitioner

Vs.

State of Punjab & others

... Respondents

**CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.
HON'BLE MR. JUSTICE LALIT BATRA.**

Present:- Mr. Gagandeep Singh Virk, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J.

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioner seeks a mandamus to direct the respondent/authorities to take action against private respondent No.4 on the allegations that certain illegal activities are being carried out in the premises described as Plot No.1405, Sector-32-A, Ludhiana.

We have heard counsel at length and have perused the pleadings on record.

Apparently, pursuant to a complaint having been lodged against the allottee of the plot in question, proceedings were initiated for effecting construction against the approved building by laws and vide order carrying endorsement date 29.08.2016 issued by the Milk Officer, Estate Officer, GLADA, Ludhiana at Annexure P-3, the allotment of the said plot stands cancelled.

Repeated queries were put to the counsel during the course of hearing today as regards the status of allotment as of today and as to whether the allottee had availed of any remedy against the order of cancellation. Counsel is not in a position to assist us on such aspect.

Furthermore, averments made in the petition would indicate that two FIRs i.e. FIR No.168 dated 20.12.2016 under the provisions of the Immoral Traffic (Prevention) Act, 1986 stand registered at Police Station Division No.7, Police Commissionerate, Ludhiana against one Prince, stated to be the son of late Jagjit Singh. The second FIR is FIR No.187, dated 06.10.2021 also under the provisions of the Immoral Traffic (Prevention) Act, 1986 against the same very person i.e. Prince @ Ushmeet @ Gogia . In short, the allegations are with regard to running immoral activities from the premises in question.

The essential prayer raised in the petition with regard to taking action against private respondent No.4 in the light of the averments made in the petition is mis-placed. Orders placed on record would indicate that allotment of the plot in question in favour of respondent No.4/Gatinder Kaur w/o late Jagjit Singh already stands cancelled. The query put to counsel as regards the current status of the plot and as to whether the same has been restored on account of any proceedings having been initiated by the initial allottee, has gone un-answered. We are unable to accept the prayer, as such.

As regards the assertion of certain immoral activities being carried out from the premises in question, two FIRs already stands lodged. Such aspect would lie within the domain of the Investigating Agency and to be taken to its logical end as per law.

We are satisfied that no invention in the instant writ petition is warranted.

Petition is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

14.03.2022
harjeet

(LALIT BATRA)
JUDGE

- | | |
|--------------------------------|--------|
| (i) Whether speaking/reasoned? | Yes/No |
| (ii) Whether reportable? | Yes/No |