

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

115

Civil Writ Petition No.10201 of 2022

Date of Decision: May 13th, 2022

Vajir Singh and another

...Petitioners

Versus

The State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Nand Lal Sammi, Advocate
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court under an apprehension that the land of the petitioners would be taken possession of without any notice or any order of eviction passed against them.

There is nothing which would indicate that there is any such action taken against the petitioners. Instead of going to the appropriate forum for the redressal of the grievance, petitioners have approached this Court by asserting that if they go to the Civil Court, notice under Section 80 is mandated and by that time, the possession of the land would be taken and, therefore, the writ jurisdiction being efficacious remedy, the petitioners have approached this Court.

We have our doubts at the competence of the advice which has been given to the petitioners. Even under the Civil Procedure Code, there is a clear provision, where the person can approach the Court for immediate interim relief. The writ petition has been preferred by the petitioners by misusing the process of the Court and, therefore, we refuse to entertain the present writ petition and dismiss the same with costs of ₹10,000/- to be deposited with the High Court Lawyer's Welfare Fund within a period of ten days from today.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

May 13th, 2022
Puneet

**(SANDEEP MOUDGIL)
JUDGE**

Whether speaking/reasoned:	Yes
Whether Reportable:	No