

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

Sr. No.134

**CWP-10920-2022 (O&M)
Date of decision : 20.05.2022**

Mahender Singh

..... Petitioner

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

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

SUDHIR MITTAL, J. (Oral)

The petitioner has allegedly been dispossessed forcibly on 26.04.2021 as recorded in rapat No.280 of even date, copy annexed as Annexure P-8. The said rapat has been entered and action of dis-possession has been taken on the basis of memo dated 23.04.2021 issued by the Block Development & Panchayat Officer, Rania which is based upon order passed by this Court in CWP-7543-2015.

Learned counsel for the petitioner submits that the rapat aforementioned and the physical dispossession are illegal because petitioner was not a party to CWP-7543-2015 nor was the land in his possession subject matter of the said writ petition. Thus, rapat dated 26.04.2021 deserves to be quashed and possession of the petitioner deserves to be restored.

The argument cannot be accepted as disputed questions of fact are involved. It would be a matter of evidence, whether, the petitioner has been dis-possessed from land which was not subject matter of the

recorded in the aforementioned rapat. Thus, the writ petition is not entitled to be entertained.

Learned counsel for the petitioner further submits that a contempt petition has already been filed and the same is pending adjudication.

Since, an appropriate remedy has already been availed, filing of the writ petition is mis-conceived.

For the aforementioned reasons, the writ petition has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

20.05.2022
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No