

133

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CWP-19112-2022 (O&M).
Decided on: August 29, 2022.

Kiranjit Singh @ Mitha

.. Petitioner

VERSUS

State of Punjab and others

.. Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

PRESENT Mr. A.S.Jawandha, Advocate,
for the petitioner.

Mr. Gaurav Garg Dhuriwala, Addl. A.G. Punjab.

Mr. A.S.Gulati, Advocate, for respondent No.5.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been filed invoking writ jurisdiction of this Court under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of mandamus directing the official respondents to provide security cover to the petitioner which has been withdrawn after State Assembly Elections, 2022.

Learned counsel for the petitioner contends that the petitioner is a politician belonging to the Indian National Congress Party

and the same is the major opposition party in the State of Punjab and has remained as President of the District Congress Committee, Tarn Taran. He contends that the village of the petitioner is situated along the international border with Pakistan and that the petitioner is under constant threat on account of the gangs involved in nefarious activities along the border. He submits that the petitioner was provided security by the State after assessing the threat perceptions and that the said security has been arbitrarily withdrawn without affording an opportunity of hearing to the petitioner. He further places reliance on the judgment passed by a Coordinate Bench of this Court in the matter of *Om Parkash Soni Vs. State of Punjab and others*, bearing CWP No.11872 of 2022, decided on 22.08.2022. It is further submitted by learned counsel appearing on behalf of the petitioner that the petitioner would be satisfied in case a direction is issued to the respondents to look into the representations which have been appended along with the present petition as Annexures P-3 to P-6 and P8 to P-10 and take a decision on the same after taking into consideration all the relevant aspects.

Notice of motion.

Sh. Gaurav Garg Dhuriwala, Addl. AG Punjab, who is present in the Court, accepts notice on behalf of the State of Punjab.

Learned State counsel has no objection if the prayer of the petitioner is accepted.

Accordingly, the present petition is disposed of with the consent of the parties and with a direction to the respondent authorities to decide the representations annexed as Annexure P-1 to P-6 and P-8 to P-10

sent by the petitioner and to pass an appropriate order thereupon, within a period of 4 months from the date of receipt of a certified copy of this order, as per security policy adopted by the State of Punjab, after affording opportunity of hearing to the respective parties.

The present petition is disposed of in aforesaid terms.

August 29, 2022.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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