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

**CRWP-9376-2022
Date of Decision: 29.09.2022**

PREM LATA

....Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Deepak Arora, Advocate for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226 of the Constitution of India seeking a writ in the nature of Mandamus directing the official respondents to provide adequate security to the petitioner from respondent Nos. 4 and 5 since there is a real threat to the petitioner that she will be eliminated by the aforesaid respondent Nos. 4 and 5.

Learned counsel for the petitioner has submitted that the petitioner is an old lady of the age of 82 years and there is no other legal representative of the lady and she owns large property and the place where she is residing is situated in the city of main bazar Gurdaspur and underneath of said house there are nine shops which have been given on rent to different tenants. However, respondent Nos. 4 and 5 who have got no connection with the aforesaid properties in order to grab the properties

from the aforesaid old lady have tried their level best to dispossess the petitioner from the entire property and for that purpose also respondent No.5 has also filed a civil suit for permanent injunction against the petitioner vide Annexure P-1 and thereafter, vide Annexure P-2 the respondent No.5 himself submitted a statement that he is in possession of the property in dispute and therefore, there is no threat from the present petitioner and in this way, the matter was sent to the Lok Adalat. He submitted that in fact a false suit was filed just to create some sort of circumstance to show that he is in possession of the property but in fact the real intention of respondent Nos. 4 and 5 is to grab the property of the petitioner and being an old lady having no relative she has become helpless. He submitted that the petitioner has given a representation/complaint for the purpose of protection of life and liberty to the SSP, Gurdaspur vide Annexure P-3 dated 06.09.2022 which has been duly received by the office of the SSP, Gurdaspur. However, no action has been taken till date.

Notice of motion to respondent Nos. 1 to 3.

Mr. Amit Rana, learned Senior Deputy Advocate General, Punjab accepts notice on behalf of the aforesaid respondent and states that he has no objection in case the representation given by the petitioner to the SSP, Gurdaspur is considered and decided by the SSP, Gurdaspur in accordance with law in view of the fact that the petitioner is an old lady of the age 82 years who is seeking protection.

I have heard the learned counsel for the parties.

The grievance of the petitioner is that she is an old lady of the age of 82 years and her property is not only likely to be grabbed by respondent Nos. 4 and 5 but she is also facing threat to her life. The representation was given to SSP, Gurdaspur but according to the learned counsel for the petitioner no action has been taken. Ordinarily this Court would not interfere in such like matter but considering the facts and circumstances of the present case where the petitioner is an old lady of the age of 82 years and having no relative and having large property, this Court would certainly invoke the provisions of Article 226 of the Constitution of India for the purpose of issuance of certain directions at this stage. The learned State counsel has also stated that he has no objection in case the representation Annexure P-3 is considered and decided in accordance with law.

In view of the aforesaid facts and circumstance, the SSP, Gurdaspur- respondent No.2 is directed to consider the representation Annexure P-3 filed by the petitioner pertaining to prayer for grant of security and protection of life and liberty of the petitioner in accordance with law and to pass an order within a period of two weeks from the date of receipt of a copy of this order.

The present petition stands disposed of.

29.09.2022

rakesh

Whether speaking
Whether reportable

(JASGURPREET SINGH PURI)

JUDGE

: Yes/No
: Yes/No