

110.

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

CRWP-11147-2021

Date of Decision: 24.01.2022

(Heard through VC)

JASTINDER KAUR AND ANOTHER

.... Petitioners

Versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sarju Puri, Advocate,
for the petitioners.

JAISHREE THAKUR.J (Oral)

This is a petition that has been filed by Jastinder Kaur and her father Balbir Singh seeking an appropriate direction to respondent No.2 to ensure protection of life and liberty as well as property of the petitioners herein at the hands of private respondents.

It is contended that the petitioner No.1 had solemnized marriage with one Balbir Singh on 05.11.2004 and thereafter, she migrated to Germany with her husband and gave birth to two children. The marriage did not survive as Balbir Singh did not prove to be a good husband or a father. Ultimately the matter was resolved in Germany and as part of the settlement, respondent No.4-Balbir Singh agreed to transfer his land measuring 53 kanals, 5 marlas and 8 sirsahi situated in Village Uapar and Karyam in favour of petitioner No.1 and further agreed to pay/transfer amounts lying in

the NRI savings account and term deposits lying in the State Bank of India, NRI Branch, Nawanshahr to petitioner No.1 in lieu of her permanent alimony along with past, present and future maintenance. After the land stands transferred, the petitioner is being harassed unnecessarily by respondent No.4 and his family members who are making every attempt to take possession of the said land and of crop growing thereon, which rightfully belongs to her. Counsel would contend that she through her father (power of attorney holder) has approached the police for redressal of the grievance, however, as on date, no action has been taken. It is also argued that a civil suit is pending between the parties, in which, there is an injunction in favour of the petitioner herein. It is further stated that Balbir Singh, former husband of petitioner No.1, is using all political influences to try and to take possession of the land. Five attempts have been made in this regard to do so.

Notice of motion.

At this stage, Ms. Rashmi Attri, AAG, Punjab, who is present through the medium of video conferencing, accepts notice on behalf of the official respondents.

I have heard counsel for the petitioners and have perused the pleadings of the case.

The prayer made in this petition is only to the extent that the life, liberty and property of the petitioners be protected at the hands of private respondents who are trying to usurp the land which has been legally transferred in the name of petitioner No.1 in lieu of maintenance awarded in divorce proceedings.

Let this petition be treated as a representation.

Mr. Sarju Puri, counsel appearing on behalf of the petitioners is hereby directed to serve entire copy of the paper book to the counsel appearing on behalf of the respondent-State within a period of two days.

Let this representation be looked into within a period of four weeks and appropriate action be taken, if so required.

With the aforesaid observations, present petition stands disposed of.

(JAISHREE THAKUR)
JUDGE

24.01.2022

sanjeev

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No