

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

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**CWP-36060-2019 (O&M)
Date of decision:06.09.2022**

Sharanjit Kaur

.....Petitioner

Versus

State of Punjab and others

.....Respondents

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

Present:- Mr. Manpreet Singh Dua, Advocate for the petitioner.

Mr. Saurav Verma, Addl. A.G., Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

The present petition has been filed under Article 226/227 of the Constitution of India seeking issuance of a writ in the nature of mandamus directing the respondents to take legal action against respondent No.4 in pursuance to inquiry dated 04.12.2017 and inquiry dated 16.12.2017 and on the basis of the representation dated 15.07.2019 (Annexure P-4) submitted by the petitioner.

Short reply by way of an affidavit of Lalit Kumar, PPS, Deputy Superintendent of Police, Sub Division City Batala, Police District Batala on behalf of respondents No.1 to 3 has been filed today in Court. Copy thereof has been handed over to the counsel for the petitioner.

A perusal of the aforesaid shows that inquiry into the matter was conducted by various officials and that the ADA (Legal), Batala had raised certain objections on 20.03.2020 whereupon the matter was sent for necessary action to SP/Operations, Batala. The said objections were duly

removed and the matter was sent back to ADA (Legal), Batala and opinion was given by him on 13.01.2021. Comments of SP/Operations, Batala were awaited. As per the said comments, the Senior Superintendent of Police had filed the complaint on 09.02.2021. It is also noticed that the matter is already *sub judice* in the Court and status quo had been granted by the Civil Court. The relevant extract of the dispute reads thus:-

“8. That, it is humbly submitted that as per the final legal opinion dated 12.01.2021 the matter is already subjudice and the Court and status quo has been granted by the Civil Court and there is no observation of the revenue authorities regarding any illegality in executing the second sale deed and at this stage no action is required to be taken.”

It is evident that the prayer made by the petitioner was that the representation submitted by him dated 15.07.2019 be decided. The response shows that the said representation has already been decided and complaint has been filed by the Superintendent of Police. Besides, pendency of civil suit has also been referred to. The grievance thus, espoused by the petitioner stands addressed as far as the representation and decision thereupon is concerned. The petitioner shall be at liberty to take recourse to the remedies available in accordance with law.

The petition is accordingly disposed of.

(Vinod S. Bhardwaj)
Judge

06.09.2022

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Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No