

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

316

**CWP-8568-2021 (O &M)
Date of decision: 16.01.2023**

SALWINDER SINGH AND ANR

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- None for the petitioners.

Ms. Niharika Sharma, AAG, Punjab.

Mr. Saurabh Singh, Advocate for
Mr. Pradeep Bajaj, Advocate
for respondent No.5.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India for seeking issuance of a writ in the nature of Mandamus and directing the official respondents to protect the life of the petitioner while carrying the agricultural operation, over the land measuring 39 kanal 15 maralas situated at village Chamb, Tehsil Makhu, District Ferozepur, comprising of Rect No. 18, Killas 20 (8-0) 21/1 (4-0), 21/2 (4-0), Rect. No. 19, Killas 15/1/2 (0-13) 15/2 (7-2), 16(8-0), 25(8-0), owned/possessed by the petitioners, and they apprehending danger at the hands of respondents No.4 & 5 who have joined hands with the ruling party in the State of Punjab.

Written statement on behalf of respondent No.3-Deputy Commissioner, Ferozepur has been filed today in Court wherein it has been stated that the petitioner is the owner in possession of the land in

question as per the revenue record. Rajveer Singh- son of the petitioner was married to respondent No.4 Rajpal Kaur. However, after the death of Rajbir Singh-husband of respondent No.4, there has been an *inter se* disputes between the petitioners and respondent No.4-Rajpal Kaur (widowed daughter-in-law of the petitioners). It is contended that pursuant to the said interim orders passed and alleging non-compliance thereof, the petitioners had filed COCP No. 3520 of 2019 and as per the order dated 27.11.2019, it was noticed that possession of the house and 03 killas of land had been handed over to the petitioners. The possession of the remaining 02 killas had not been handed over to the petitioners and the State had undertaken that the needful shall be done within a period of 03 weeks from the said date. The contempt petition was accordingly disposed of. Thereafter, the possession of the said land has been handed over to the petitioner lay the revenue authorities and Rapat No. 37 dated 30.01.2021 had been duly entered in the Roznamacha. It is thus stated that the petitioner is now in peaceful settled possession of the property and does not have surviving grievance.

Counsel appearing on behalf of respondent No. 5 submits that he has been unnecessary arrayed an accused in the present case and has no concern with the dispute between the petitioner and their daughter-in-law.

Taking into consideration the circumstances noticed above, I find that there is no other subsisting grievance. There is no representation on behalf of the petitioner as well. The present petition is accordingly disposed of for want of prosecution. Liberty is however

granted to the petitioner to seek revival of the present petition in case the above averment is found to be incorrect.

Disposed of for non-prosecution.

All the pending miscellaneous applications, if any, are also disposed of.

(VINOD S. BHARDWAJ)
JUDGE

JANUARY 16, 2023

Vishal sharma

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