

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

273

CWP-24511-2021  
Date of Decision: 01.02.2023

**RAKESH KUMAR AND ANR**

... Petitioners

VERSUS

**STATE OF PUNJAB AND OTHERS**

... Respondents

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

Present: Ms. Navneet Kaur, Advocate for  
Mr. Tarun Sharma, Advocate  
for the petitioners.

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

Mr. Sandeep Sharma, Advocate for  
Mr. Rajesh Bhatheja, Advocate  
for respondents No.6 to 16.

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**VINOD S. BHARDWAJ, J. (ORAL)**

The present petition has been filed under Articles 226/227 of the Constitution of India, 1950 for issuance of a writ in the nature of Mandamus directing the official respondents No.2 and 3 to protect the fundamental rights of the petitioners under Articles 19 (d) and (g) and 21 of the Constitution of India and further to take action against private respondents who have encroached the privacy of the petitioners by holding protest in front of the house of petitioner and have blocked the free ingress and egress to his house.

Short reply by way of affidavit of Ram Singh, PCS, Sub Divisional Magistrate, Moga, has been filed wherein it has been averred in paragraph No.4 that there is no obstruction/*Dharna* in front of the house of the petitioner and the same has been lifted from there.

Learned State Counsel on instructions from ASI Harpreet Singh, Police Station City Moga also informs that there is no on-going protest/*Dharna* in front of the house of the petitioner and no obstruction to the ingress/egress of the petitioner to his house is being caused at present.

Learned counsel for respondents No.6 to 16 also reiterates the same stand as taken by the learned State Counsel.

In view of the above, the present petition stands disposed of as having been rendered infructuous.

The petitioner would, however, be at liberty to seek revival of the present petition in case the above statement made by the learned counsel for the respondents is found to be incorrect.

**01.02.2023.**  
*rajender*

**(VINOD S. BHARDWAJ)**  
**JUDGE**

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