

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-222-2022

Date of decision: 02.05.2023

SANATAN DHARAM MAHAVIR DAL MANAGEMENT
COMMITTEE

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr. Munish Jolly, Advocate
for the petitioner.

Ms. Niharika Sharma, AAG, Punjab
for respondents No.1 to 4.

Mr. Puneet Kaushal, Advocate
for respondent No.5.

Mr. Yogesh Jangra, Advocate for
Mr. Sherry K. Singla, Advocate
for respondent No.7.

Mr. Manoj Pundir, Advocate
for respondents No. 8 to 11.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India for seeking issuance of directions to respondents No.1 to 6 to protect the property of the petitioner and to stop the illegal construction being made in violation of the order of the Civil Court dated 25.11.2021 (Annexure P-21).

Short reply by way of affidavit of Gurbans Singh Bains,

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Deputy Superintendent of Police, Sub Division Rajpura, District Patiala had been filed wherein it has been averred that the police party had stopped the construction work carried out by the private respondents in terms of the order dated 25.11.2021 passed by the Civil Court directing the parties to maintain Status quo regarding construction/possession of the entire suit property. Further, statement of Baljit Khan son of Gareeb Khan who is a neighbour adjacent to the property had also been recorded as per which construction had been stopped.

Counsel for the petitioner contends that respondent No. 7 is the person who had violated the order of status quo and that his reply is necessary, however, I am of the opinion that the prayer advanced in the present petition is only for stoppage of the illegal construction that was being raised in violation of an order passed by the Court. The question of determination of liability and/or violation of an interim order is yet to be decided by the concerned Civil Court where the matter is subjudiced. Insofar as the substantive prayer made by the petitioner for stoppage of illegal construction is concerned, the same having been satisfied. No further orders are required to be passed in the present petition at this stage, the same is accordingly disposed of as having been rendered infructuous at this stage.

(VINOD S. BHARDWAJ)
JUDGE

MAY 02, 2023

Vishal sharma

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