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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.28257 of 2023
Date of decision :15.12.2023

Umesh Rai

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. A. S. Gulati, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Present writ petition has been filed for directing the official respondents to do their proper duty and not to help the private respondents to encroach and interfere in the peaceful possession of the property of the petitioner despite there being a Stay order passed by a Civil Court in favour of the petitioner and also despite Contempt petition pending against the private respondents and the official respondents being hand in gloves with the private respondents are doing nothing but helping the private respondents to achieve their illegal motive which is illegal and in violation of the rights guaranteed to the petitioner by the Constitution of India.

It has been contended by learned counsel for the petitioner that despite the injunction granted to the petitioner by the Civil Court dated 17.12.2019, respondents No.7 to 11 are blatantly violating the order of the Court. He submits that he has already initiated the contempt proceedings

before the learned Civil Court and notice has been issued in the same. He further submits that the petitioner also approached the police for seeking help, however, respondent No.4 is the *hand in gloves* with respondents No.7 to 11 and thus, no action is being taken.

On hearing learned counsel for the petitioner, it is apparent that the petitioner has already initiated the action for the alleged violation of the order passed by the Civil Court and the learned Civil Court has also issued the notice.

In view of the same, the present petition is not maintainable and the same is disposed of as such. However, as the proceedings are pending before the Civil Court, the concerned Civil Court is directed to hear the grievances raised by the petitioner and expedite with the same in accordance with law.

(RAJESH BHARDWAJ)
JUDGE

15.12.2023
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No