

115 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-9513-2024

Date of Decision: 26.04.2024

Jagdish

..... Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Nand Lal Sammi, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for issuance of direction to the respondents to strictly comply with the order dated 01.10.2021 passed by learned Civil Judge (Jr. Divn.), Derabassi, District SAS Nagar Mohali, whereby, ad-interim injunction is granted and private respondent No.7 to 10 are restrained from alienating the suit property i.e. land measuring 47 sq. Yard out of land measuring 24 bigha 19 biswas, compromised in Khewat/Khatoni No.233/167, Khatoni No.298, measuring Khasra No.18 (4-12), 19 (5-2), 20 (3-4), 21 (0-16), 22 (0-10), 23 (2-14), 24 (3-14), 25/2 (4-7), Kite 8, situated within the revenue estate of village Ramgarh Bhudha, Hadbast No.42, Sub Tehsil Zirakpur, MC Zirakpur, District SAS Nagar (Mohali), to anyone else except the petitioner, till further order, vide Annexure P-2 and not to dis-locate or delete any/specific Khasra numbers from the total chunk of land mentioned above.

2. It has been submitted by learned counsel for the petitioner that the petitioner has filed a representation dated 01.02.2024 (Annexure P-3) before Naib Tehsildar, however, no action has been taken on the same till date.

3. However, this is an admitted fact that the petitioner has earlier approached this Court praying for issuance of direction in the nature of mandamus for the compliance of the order dated 01.10.2021 passed by learned

Civil Judge (Jr. Divn.), Derabassi, District SAS Nagar Mohali, wherein, ad-interim injunction was granted to the petitioner. It is also evident that the petitioner has already invoked the remedy of filing civil suit before the Civil Court at Derabassi. Thus, for the redressal of his grievance, the petitioner has remedy to approach before the same Civil Court. Hence, this Court does not find any merits in the present petition to entertain the prayer made by the petitioner. Thus, the present petition is disposed of with liberty to the petitioner to take up all his pleas before the Civil Court, which had granted him the ad-interim injunction, in accordance with law.

(RAJESH BHARDWAJ)
JUDGE

26.04.2024
sharmila

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No