

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRWP-10784-2023
Date of Decision : March 12, 2024

RAKESH KUMAR -PETITIONER

V/S

STATE OF PUNJAB AND ORS -RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: None for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, the petitioner seeks issuance of a mandamus upon the respondent No.1 and 2, to ensure protection of his and his minor children's life and liberty, at the hands of respondents No.3 to 5, and, also to take legal action against respondents No.4 and 5.
2. When this case had come up for initial hearing, on 06.11.2023, the learned counsel for the petitioner had sought an adjournment, thereby enabling him to rectify some errors in the petition. Accordingly, this case was adjourned to 11.12.2023. However, on 11.12.2023, neither anyone had caused appearance on behalf of the petitioner, nor any steps were taken for rectification of the said mistake.
3. Today also, none has caused appearance on behalf of the petitioner. In such circumstances, this Court is impelled to draw an inference that the petitioner does not have any threat to his life and liberty.
4. Insofar as another prayer made by the petitioner is concerned, which pertains to legal action being taken against the

respondents No.4 and 5, the instant petition is a misconceived motion, as the petitioner is seized of an efficacious alternative remedy for redressal of his grievance (supra). Therefore, since the petitioner has sidetracked the alternative available statutory remedy(ies), the instant petition is **dismissed**. However, liberty is reserved to the petitioner to, if his grievance yet survives, recourse the alternative available statutory remedy(ies) before the appropriate authority/forum concerned.

March 12, 2024
devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No