

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

CWP-34699-2019

Date of decision : 05.03.2024

Tanish Kumar Jain

.....Petitioner

versus

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Sunil Chadha, Sr. Advocate with
Mr. Tara Dutt, Advocate, Mr. Akshay Chadha, Advocate and
Mr. Raghav Chadha, Advocate
for the petitioner.

Mr. Rajeev Takkar, D.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

Present petition has been filed seeking issuance of direction especially in the nature of certiorari thereby quashing the impugned order dated 22.08.2019 (Annexure P-16) passed by respondent No.3 vide which the claim for delivery of possession and correction of record has been declined and further for issuance of a writ in the nature of mandamus thereby giving directions to the respondents to deliver the possession in pursuance to the Punjab Land Revenue Act, 1887 by providing Police help in the interest of justice or issue any other direction which this Hon'ble Court may deem fit and proper in the peculiar facts and circumstances of the case.

Fresh Vakalatnama on behalf of the petitioner has been filed by Mr. Akshay Chadha, Advocate and Mr. Raghav Chadha, Advocate with no objection from the previous counsel, same is taken on record.

Learned Senior counsel appearing for the petitioner has submitted before this Court that the prayer in the present petition is for

delivering the possession and for the correction of the record. However, he has fairly submitted before this Court that the suit for injunction has been filed by the respondents which is pending adjudication before the Civil Judge, Junior Division, Ludhiana for today i.e. 05.03.2024. He has candidly apprised this Court that during the pendency of the Civil Suit in which he has also filed the counter claim seeking possession, the prayer made in this petition cannot be answered. He has fairly submitted that the writ petition be disposed of with a direction to the Civil Court for deciding the civil suit pending adjudication, expeditiously preferably within a period of six months.

In view of the above, present petition is disposed of with direction to the Civil Court concerned to decide the civil suit pending adjudication, expeditiously, preferably within a period of six months.

(RAJESH BHARDWAJ)
JUDGE

05.03.2024
ps-I

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