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

**CWP-5610-2025
Date of Decision: 01.03.2025**

**GRAM PANCHAYAT MUTHADA KALAN, PHILLAUR,
JALANDHAR**

-PETITIONER

V/S

THE STATE OF PUNJAB AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Baltej Singh Sidhu, Sr. Advocate with
Mr. Chandan Singh, Advocate,
for the petitioner.

Mr.Pardeep Bajaj, DAG, Punjab.

Mr. Sanjeev Kumar Bawa, Advocate,
for respondent no.8-Azad Kabaddi Club.

KULDEEP TIWARI, J. (ORAL)

1. Having apprehension of breach of peace in village Muthada Kalan, Block Phillaur, District Jalandhar, the Gram Panchayat through its Sarpanch Manjit Kaur, preferred the instant petition under Article 226/227 of the Constitution of India, painting it with various apprehensions and sought *mandamus* upon the official respondents to restrain respondent no.8-Azad Kabaddi Club (Registered), Muthada Kalan, for conducting the Kabaddi Cup which is now scheduled to be organised on 02.03.2025.
2. The stand, which has been taken by the petitioner-Gram Panchayat, is that the stadium belongs to the petitioner-Gram Panchayat,

where the tournament is going to be held and in this regard no permission has been sought from the petitioner-Gram Panchayat. Further while referring to the report of the DSP, Phillaur, dated 18.02.2025 (Annexure P-9), learned senior counsel for the petitioner submits that in case the Kabaddi Cup, is allowed to be held, it may vitiate the peaceful environment of the village concerned, and will create a serious law and order situation.

3. Learned senior counsel appearing for the petitioner though fairly admits that there are cross-FIRs registered against the husband of the Sarpanch-Manjit Kaur, who is also a Panch of the village concerned, but nonetheless, the reason for filing the instant petition by the Gram Panchayat, is only to maintain the law and order situation in the village, and they have serious apprehensions that on account of pendency of the criminal cases (*supra*), and on account of dispute, as to who is the rightful owner of the land of Azad Kabaddi Club, the law and order situation may erect.

4. Before issuing notice of motion, this Court passed the hereinafter extracted order on dated 28.02.2025:-

“1. Fetching grievance from the “Kabaddi Cup” scheduled to be organized in the stadium owned and managed by it, the petitioner-Gram Panchayat has instituted the present writ petition.

2. The learned senior counsel for the petitioner submits that, the respondent No.8 is organizing the “Kabaddi Cup” without permission of the petitioner- Gram Panchayat and other competent authority(ies). Moreover, the Deputy Superintendent of Police concerned has also raised his concern with regard to breach of law and order situation on account of the said “Kabaddi Cup”, however, the authority(ies) concerned has not taken any remedial measures in this regard.

3. At this stage, this Court deems it appropriate to direct the Deputy Commissioner concerned to, on his personal affidavit, inform this Court as to how, without the permission of the petitioner- Gram Panchayat/B.D.P.O. and especially when the Deputy Superintendent of Police concerned has raised concern about breach of law and order situation, the “Kabaddi Cup” is permitted to be organized.

4. List on 01.03.2025, for awaiting the affidavit (*supra*). ”

5. Upon an advance notice, Mr.Sanjeev Kumar Bawa, Advocate, has caused appearance on behalf of respondent No.8-Azad Kabaddi Club, through a validly executed power of attorney in his favour. The same is taken on record.

6. In pursuance thereof, a detailed reply by way of affidavit of Dr. Himanshu Aggarwal, Deputy Commissioner, Jalandhar (respondent no.3), alongwith Annexures R-31/2 to R-3/5, has been filed today in Court, by the learned State counsel, with a copy thereof, supplied to learned counsel opposite. The same is ordered to be taken on record.

7. The affidavit (*supra*), voiced about some of sequence of events which are not part of the instant petition, are that; (i) one Deepak Kumar son of Seetal Kumar filed an application dated 06.02.2025, seeking permission to install 4 loud speakers, and police security as one day Kabaddi tournament is being organised on dated 02.03.2025, at Azad Kabaddi Stadium Club, Muthada Kalan. On the above application, a report was sought by the SDM, Phillaur, from different quarters, i.e. DSP, Phillaur, BDPO, Phillaur, Fire Officer, Phillaur, Electricity Board Rurka Kalan, and SMO, Jandiala, after conducting an inquiry as per the rules; (ii) On the other hand, the Sarpanch, Gram Panchayat (petitioner), made a representation on dated 07.02.2025, to the SDM, Phillaur, stating that in case the above tournament is allowed to be organised, there would be a law and order situation in the village; further it was alleged that the organising team is threatening the Sarpanch, as much as, they are attacking the house of the Sarpanch with deadly weapons; (iii) On this application, a report from the quarter concerned was sought. The DSP, Sub Division, Phillaur, vide its

report dated 18.02.2025, intimated the SDM, Phillaur, that since a representative of Gram Panchayat, has informed that some mischievous persons, while visiting the tournament, may cause serious threat to life and liberty of any person, and may also disturb the peaceful atmosphere of the village concerned, which is a sensitive village, therefore, the DSP, Phillaur, recommended the SDM, Phillaur, for not granting permission to organise the said kabaddi tournament; (iv) Thereupon, the matter was re-examined, as the organisers of the tournament, made a representation that they were not heard before the recommendation made by the DSP, Phillaur. Thereupon, the DSP, Phillaur, again re-examined the entire issue and extended no objection vide its report dated 21.02.2025 (Annexure R-3/3), and finally on 24.02.2025 (Annexure R-3/5), the requisite permissions, were granted, after the evaluation of the entire scenario, and after having no objection from all quarter concerned.

8. This Court has considered the rival submissions, as made by learned counsel for the parties concerned, and has perused the entire case file.

9. Though, the order of granting permission (*supra*), has not been assailed before this Court, however, the concern which is raised by the learned senior counsel for the petitioner-Gram Panchayat, as shown before this Court, is the issue of law and order situation. He has further submitted that there are still chances of disturbance of peaceful atmosphere in the concerned village, in case this tournament is allowed to be organised.

10. Considering the fact that now the permission has already been granted to organise the said kabaddi cup tournament, after evaluating all

pros and cons, this Court, refrains itself to grant the asked for relief.

However, the following direction is passed upon the Deputy Commissioner, Jalandhar, that:-

- i. Authority concerned, shall ensure by deploying adequate police force, that no untoward incident shall occur during the said Kabaddi Cup;
- ii. The entire event shall be videographed, so as to ensure that no provocative slogans, or any nuisance is created under the pretext of organising the Kabaddi Cup;
- iii. In case there is threat perceptions to the Sarpanch of the village concerned, and her family, as well as other Panches, who raised objection to organising the Kabaddi Cup, the adequate protection shall be provided to them.

11. Disposed of accordingly.

March 01, 2025

dharamvir

(KULDEEP TIWARI)
JUDGE

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