

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

2025:PHHC:056770



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**CRWP-4405-2025 (O&M)
Date of Decision: 01.05.2025.**

Rattan Bai @ Ratni

...Petitioner.

Versus

State of Haryana and others

...Respondents.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Maninder Arora, Advocate
for the petitioner.

SUKHVINDER KAUR, J. (Oral)

Prayer in the instant petition filed under Article 226 of the Constitution of India, is for protecting the life, liberty and property of the petitioner from the hands of private respondents.

Learned counsel for the petitioner has inter alia contended that when dispute arose between petitioner and respondent No.5 then respondent No.5 filed a suit for specific performance against the petitioner vide CS-879 of 2006 which was decreed vide judgment and decree dated 31.01.2013.

Aggrieved against the said judgment and decree, the petitioner filed an appeal before District Judge, Jhajjar vide CA-70-2013 which was also dismissed vide judgment and decree dated 23.03.2016. He has further contended that aggrieved against the said judgments and decrees dated 31.01.2013 and 23.03.2016, the petitioner filed second appeal vide RSA No.3678-2016 in which the notice had been issued and in the meanwhile

execution of sale deed was stayed. He urged that the execution of sale deed was stayed not till the next date of hearing but it was during pendency of the appeal which has not been vacated till date. In violation of the said order respondent No.5 executed sale deed of land in dispute in favour of the remaining respondents vide sale deed dated 10.10.2024, regarding which complaint was given to the police officials through E-mail dated 06.12.2024, but till date no action has been taken by the police officials. He has argued that the petitioner also filed contempt petition before this Court vide COCP No.204 of 2025, which was ordered to be listed along with RSA-3678-2016. He has submitted that private respondents are regularly threatening to dispossess her from her property.

The parties are already running into civil litigation. Presently RSA-3678-2016 and COCP-204-2025, are pending before this Court qua the said property. Thus, when efficacious alternative remedy available to the petitioner has not been exhausted, the present petition is not maintainable and is disposed of accordingly.

(SUKHVINDER KAUR)
JUDGE

01.05.2025.

Komal

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