

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

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CWP-23997-2019 (O&M)

Date of Decision : March 11, 2025

DHARMINDER SINGH AND OTHERS

-PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Ranjan Lakhanpal, Advocate
for the petitioners.

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

Mr. Sehajbir Singh, Advocate
for the respondent No.2.

KULDEEP TIWARI, J. (ORAL)

CM-3544-CWP-2025

1. As prayed for, the instant application is **allowed**. Annexures A-1 to A-14 are taken on record, subject to all just exceptions.

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2. Through the instant writ petition, prayer is made for issuance of directions upon the competent authority to take action against the respondent No.3 for registration of a false FIR No.43 dated 23.04.2019 (Annexure P-2) against the petitioners, and, to grant compensation to the tune of ₹ 50,00,000/- to the petitioners inasmuch as the respondent No.2, without adhering to the principles of natural justice and relevant provisions of law, demolished the shops of the petitioners, which were constructed on the petitioners' own land after obtaining prior approval of the authority concerned.

3. What has surfaced during the course of arguments, is that, the trial launched pursuant to registration of the FIR (supra) is pending and the verdict of the trial Court is awaited. Therefore, in the absence of conclusion of trial and any conclusion becoming drawn by the trial Court as regards the false implication or innocence of the petitioners, the primary prayer of the petitioners becomes premature at this stage.

4. Insofar as the petitioners' second prayer for grant of compensation is concerned, the same can also not be adjudicated in the instant proceedings inasmuch as the issues canvassed before this Court involve disputed questions of facts, which cannot be adjudicated by this Court and that too merely by exchange of affidavits, rather the same require them becoming adjudicated after evidence becomes adduced by the parties before the apposite authority/forum. Therefore, in respect of the second prayer, the petitioner is granted liberty to take recourse to the apposite statutory remedy(ies).

5. Disposed of accordingly.

March 11, 2025
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(KULDEEP TIWARI)
JUDGE

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