



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

(164)

CWP-14384-2025

Date of Decision : 19.05.2025

Sanjeev Kumar Nanda

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Pankaj Kalia, Advocate
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant writ petition, cast under Articles 226/227 of the Constitution of India, a prayer is made for issuance of a mandamus, upon the respondents, i.e. respondent No.3-Station House Officer, Hajipur, District Hoshiarpur, to ensure the protection to the petitioner, at the time of taking possession of Truck, bearing Registration No.PB-05-AN-5348, which has already been released on *superdari*, in favour of the petitioner, vide order dated 29.04.2025 (Annexure P-1), as passed by the learned Judicial Magistrate, Ist Class, Mukerian, District Hoshiarpur.

2. The petitioner pleaded herein, that his Truck (supra), is stationed at a road, and its condition is deteriorating day by day. Learned counsel for the petitioner informs this Court, that despite the petitioner having *superdari* order, in his favour, he is unable to take the possession of the Truck (supra), on account of the protests raised by the local people. It is further submitted that despite the petitioner has made numerous requests/representations, the



SHO concerned, has not taken any action to redress the grievance of the petitioner, to take the possession of his Truck (supra).

3. The lackadaisical and indolent approach of the police officers/officials concerned, has propelled the petitioner to file the instant writ petition, cast under Articles 226/227 of the Constitution of India, seeking a mandamus, upon the respondents, to handover the possession of the Truck (supra), to the petitioner.

4. At this stage, this Court, without observing and commenting anything, on the merits of the instant *lis*, and considering the *bana fide* and *innocuous* prayer, as made through the instant writ petition, deems it apt to pass a mandamus upon the official respondent No.3-Station House Officer, Hajipur, District Hoshiarpur, to take a final decision on the representation dated 07.05.2025 (Annexure P-2), as preferred by the petitioner.

5. In case, the averments made in the representation (supra), are found to be correct, thereupon, respondent No.3, is directed to provide an adequate help/assistance to the petitioner, in order to take the possession of the Truck in question, which has already been released on *superdari*, within a period of 15 days, from the date of receipt of certified copy of this order.

6. Consequently, the instant writ petition is **disposed of**.

(KULDEEP TIWARI)
JUDGE

May 19, 2025
Manpreet

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