
(2017) 02 J&K CK 0025
In the Jammu And Kashmir High Court
Case No : 120 of 2017 MP No 1 of 2017

Gandhu Ram

APPELLANT

Vs

State of J&K and ors.

RESPONDENT

Date of Decision : 08-02-2017

Acts Referred:

Citation : (2017) 02 J&K CK 0025

Hon'ble Judges : Ramalingam Sudhakar

Bench : SINGLE BENCH

Advocate : V. Bhushan Gupta, Chandan Sharma

Final Decision : Disposed Of

Judgement

1. Petitioner claims that he is a resident of village Darung Tehsil Billawar District Kathua. He is an agriculturist.

2. Grievance of the petitioner is that private respondent Nos. 4, 5 and 6 are interfering with his rights. There is a threat to his life and property. He

pleads that he is not able to perform his day to day work. Therefore, this writ petition has been filed for a mandamus to direct the respondents to

provide protection to petitioner's life and property.

3. It is pleaded that the petitioner approached the Station House Officer, Police Station, Billawar?respondent No. 3 on several occasions and has

complained. However, no protection has been given to him and no action has been taken.

4. A perusal of the record reveals that there is no complaint against the private respondents. Therefore, it will not be proper to issue any direction

against them unless the petitioner files a proper complaint to the police authority. Therefore no mandamus can be issued as prayed for, for want of

relevant material.

5. In view of the above, writ petition is disposed of with liberty to the petitioner to give a proper complaint to the third respondent. On receipt of

such complaint, the authority shall take action in the matter and deal with the same in accordance with law, provided there is any justification in the

complaint. This order shall not be used to harass third parties.

6. Writ petition is disposed of as above along with connected MP (s).