

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

WP(C) No. 1120/2022
CM No. 3337/2022

M/s Satyug India Home Products
IGC Samba

.....Petitioner(s)

Through: Mr. Harpreet Singh, Advocate vice
Mr. Aditya Sharma, Advocate.

Vs

Union of India & Ors.

..... Respondent(s)

Through: Mrs. Monika Kohli, Sr. AAG with
Ms. Nazia Fazal, Advocate
Mr. Dewakar Sharma, Dy. AG
Mr. Ishant Gupta, CGSC.

CORAM: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER
14.10.2025

1. The petitioner, through the medium of present petition, has sought the following reliefs: सत्यमेव जयते

“Writ of Mandamus:-

Directing the official respondents to conclude the exercise conducted by authorities in fixing the rent of petitioner's firm at par with other industries within stipulated time frame.

Writ of Mandamus:-

Directing the official respondents to release the rent in favour of petitioner's firm from the year 2008 to 2015 as the armed forces had occupied the premises of the petitioner's firm alongwith interest rate i.e. 12% from 2008 onwards within time bound manner at par with other acquired industries.”

2. The case of the petitioner is that the land was allotted to it by the respondent-Industries Department for setting up an industry at Samba, Industrial Estate, regarding which a lease deed was executed on 08.05.2008. It has been submitted that after getting the building permission and completion of other formalities, the petitioner proposed to set up a plant at Industrial Road Centre, Samba and for this purpose the petitioner constructed two storied building.

3. While the construction was completed by the petitioner, the building in question was forcibly taken over by the Para Military Forces in July, 2008 for dealing with law and order situation. It has been submitted that the damage was caused to the building of the petitioner as a result whereof there was total loss of machinery which the petitioner had installed in the building.

4. It has been submitted that the petitioner made a representation to the respondents for removal of un-authorized occupation of the Para Military Forces but it was only in the year 2015 that the premises was vacated by the Para Military Forces and handed over to the petitioner. It has been submitted that at the time when the premises was handed over to the petitioner, its condition had deteriorated and it had suffered huge loss of worth crores of rupees.

5. It has been submitted that the petitioner has filed a suit for damages before the court of learned Principal District Judge, Samba claiming damages/compensation in the amount of Rs. 19 crores

against the respondents. It has been further submitted that the respondents have not released any rent in respect of the building for the period, it was under the occupation of the Para Military Forces. On the basis of these assertions, the petitioner has sought the reliefs as have been reproduced herein before.

6. Heard and considered.

7. The petitioner has also placed on record a copy of the plaint filed by him before the Principal District Judge, Samba whereby he has sought recovery of compensation in the amount of Rs. 19 crores from the respondents. The suit has been filed prior to the filing of the present writ petition. When we go through the contents of the plaint, it becomes apparent that the grounds urged by the plaintiff in the said suit for claiming damages/compensation from the defendants are more or less same as the grounds urged by the petitioner in the present writ petition.

8. In the suit filed before the learned civil court, the plaintiff has specifically pleaded that it is entitled to compensation @ Rs. 50,000/- per day from the date of occupation of the premises by the Para Military Forces till its vacation meaning thereby that the plaintiff is claiming compensation for the use and occupation of the premises by the Para Military Forces besides seeking compensation for alleged damages caused to the infrastructure of the petitioner which was lying in the premises.

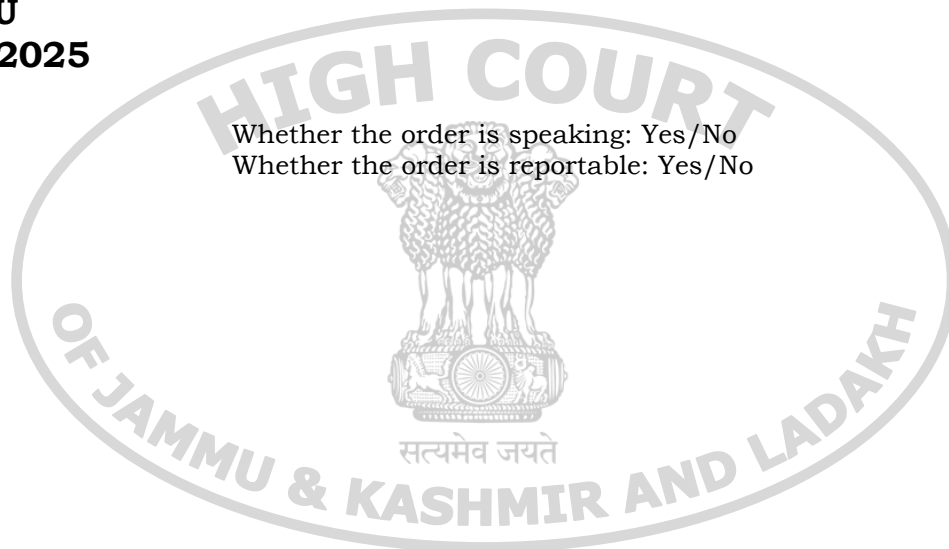
9. The petitioner by filing the present writ petition has misused the process of law inasmuch as for the same relief, he has filed a

suit before the civil court and, thereafter, proceeded to file the present writ petition. A litigant cannot resort to multiplicity of proceedings for the same relief before the different fora. The course adopted by the petitioner is nothing but abuse of process of Court. On this ground alone, without going into the merits of the case, the writ petition deserves to be dismissed.

10. Accordingly, the writ petition is **dismissed**.

(SANJAY DHAR)
JUDGE

JAMMU
14.10.2025
Shivalee



Whether the order is speaking: Yes/No
Whether the order is reportable: Yes/No