

116 **IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP-22313-2024
Date of Decision: 23.10.2024**

Mohinder Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Gurtej Singh Dhindsa, Advocate
 for the petitioner.

HARSH BUNGER J. (ORAL)

The present writ petition has been filed under Articles 226 and 227 of the Constitution of India, *inter alia*, seeking a writ in the nature of Certiorari to set aside impugned order dated 14.06.2024 (Annexure P-7) passed by the learned Collector (Panchayat Land)/District Development and Panchayat Officer, Patiala.

2. In paragraph No.14 of the instant writ petition, the petitioner has clearly stated that a remedy of appeal is available to the petitioner, however, he is approaching this Court in view of the law laid down by the Hon'ble Supreme Court in "*Whirlpool Corporation Vs. Registrar of Trade Marks, Mumbai*", 1999 (1) R.C.R. (Civil) 220.

3. During the course of hearing, attention of learned counsel for the petitioner has been drawn to paragraph No.15 of the present writ petition, which reads as under:-

"15. That the petitioner has not earlier filed any other petition in the matter either in this Hon'ble Court or in the Hon'ble Supreme Court of India except CWP No.16940 of 2024 which was dismissed as withdrawn vide order dated 23.07.2024 with

*liberty to the petitioner to avail his other remedies in accordance with law. Copy of above order dated 23.07.2024 is being filed herewith as **Annexure P-8**. Moreover, petitioner also filed COCP No.2556 of 2024, which is pending for 29.11.2024.*

- x - x - ”

4. Concededly, the petitioner along with another person had preferred CWP No.16940 of 2024, challenging order dated 14.06.2024 passed by the learned Collector (Panchayat Land)/District Development and Panchayat Officer, Patiala, which has also been challenged in the present writ petition. However, the writ petition (CWP No.16940 of 2024) was withdrawn with liberty to the petitioners to avail their other remedies, in accordance with law, vide order dated 23.07.2024 (Annexure P-8).

5. In my considered view, once the earlier writ petition (CWP No.16940 of 2024), challenging the same order as impugned herein, i.e. order dated 14.06.2024 (Annexure P-7), has already been withdrawn by the petitioner, the instant writ petition is not maintainable and it clearly amounts to abuse of the process of law.

6. In view of the aforementioned facts and circumstances, the present writ petition is dismissed by relegating the petitioner to his remedy of appeal before the competent authority, wherein he shall be at liberty to take all his pleas, as raised herein, in accordance with law.

7. All pending application(s), if any, shall also stand closed.

23.10.2024
Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No