



CWP-29093-2024

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

CWP-29093-2024**Date of decision: 25.10.2024**

Lovleen Kumar Satija

....Petitioner

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Deepak Singh Saini, Advocate,
for the petitioner.

Mr. Ankur Mittal, Additional Advocate General, Haryana.

Mr. Ankur Mittal, Advocate,
Ms. Kushaldeep Kaur, Advocate,
Ms. Saanvi Singla, Advocate,
for respondent No.2.

ARUN PALLI, J. (Oral)

At the outset, learned Additional Advocate General, Haryana, submits that pursuant to the order dated 03.03.2022, rendered by the learned Single Judge in a petition (CWP-25810-2021), filed by the wife of the petitioner (Smt. Preeti Satija) and others, the Commissioner, Municipal Corporation, Gurugram, on 13.04.2022, ordered demolition of the subject building. Upon which, respondent No.3 (Dynamic Universal Limited), filed a civil suit No.1309-2022, along with an application under Order 39 Rule 1 and 2 of the Code of Civil Procedure. Accordingly, vide order dated 17.10.2022, the trial court granted injunction. And, being aggrieved, the Corporation preferred a miscellaneous appeal against the said order, which is pending. He submits that, while disposing of the petition filed by the wife of the petitioner (*ibid*), the learned Single Judge had observed:-

***“Today, Sh. Sagar, on instructions from
Mr. Ashwani Mehra, Junior Engineer, Municipal***



Corporation, Gurugram, has stated that the Commissioner, Municipal Corporation, Gurugram, is seized of the matter and on the request of the Residents Welfare Association, the matter has been kept for next week. He assured the Court that by the end of the next week some effective order shall be passed.

Keeping in view the aforesaid facts, the writ petition is disposed of with liberty to the petitioners to file an application for revival, if the grievance still persists,”

Accordingly, he asserts that the petition at hand is an abuse of process.

Faced with this, learned counsel for the petitioner submits that he be permitted to withdraw this petition to enable the petitioner to avail such other remedies, as shall be admissible in law.

Dismissed as withdrawn.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

25.10.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No