

2025.PHHC:053755-DB



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

CWP-9821-2025 (O&M)

Date of decision: 25.04.2025

TARLOCHAN SINGH

.....Petitioner

Versus

STATE OF PUNJAB & ORS.

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH
HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA**

Present:- Mr. Pawan Kumar, Sr. Advocate with
Ms. Vidushi Kumar, Advocate and
Mrs. Seema Rani, Advocate for the petitioner.

Mr. R.S. Khosla, Sr. Advocate;
Mr. Aman Sharma, Advocate;
Mr. Chirag Suri, Advocate and
Mr. Yogender Verma, Advocate for respondent-GLADA.

SUDHIR SINGH, J.

The petitioner has sought issuance of a writ in the nature of Certiorari quashing the impugned agreement dated 30.04.2019 (Annexure P-2) entered between the private respondents and the Greater Ludhiana Area Development Authority (GLADA), under the 'Land Owners Become Partners in Development Policy' issued vide notification dated 19.06.2013 and amended vide notification dated 02.09.2014. A further writ of Certiorari has been sought quashing the impugned 'Change in Land Use' issued by the Chief Town Planner, Punjab, Chandigarh on 09.07.2019 (Annexure P-7).

2. As per the facts on record, it is the pleaded case of the petitioner himself that in respect of the land in question a Civil Suit was filed by one Sukhwinder Singh (claiming himself to be the owner of the land in question to the extent of 1/4th share), wherein the matter regarding interim injunction went upto the Hon'ble Supreme Court. The Hon'ble Supreme Court vide order dated 15.10.2024 while disposing of the SLP filed by Kartar Singh Through his LRs and Ors., observed that in case any third party interests were created on 1/4th share of the property or any construction was made, the appellant(s)-defendant(s) shall inform the respondent(s)-plaintiff(s) as well as the Court concerned with two weeks prior notice/as early as possible. The petitioner is defendant No.14 in the aforesaid Civil Suit. It is further the case of the petitioner that he had also filed an application under Order 39 Rules 1 and 2 CPC for interim injunction with a prayer that his 1/4th share be also protected and secured like that of Sukhwinder Singh, keeping in view the order dated 15.10.2024 passed by the Hon'ble Supreme Court, but the said application was dismissed by the Civil Court on 14.02.2025 and an appeal there-against filed by the petitioner, is pending adjudication before the learned District Judge.

3. Admittedly, the petitioner is pursuing his claim before the Civil Court being defendant No.14 in the aforesaid Civil Suit. That being the situation, the petitioner cannot be allowed to invoke the writ jurisdiction of this Court, when the Civil Court is already seized of the matter.

4. In view of the above, finding no merit in the present writ petition, the same is hereby dismissed. Needless to say that the petitioner shall be at liberty to pursue his rights in the aforesaid Civil Suit.

5. Pending application(s), if any, shall also stand disposed of.

[SUDHIR SINGH]
JUDGE

[DEEPINDER SINGH NALWA]
JUDGE

25.04.2025
himanshu

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