



CWP-11742-2023

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

(240)

CWP-11742-2023

Date of Decision : 11.03.2025

Jaswinder Singh

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Balwinder Singh, Advocate
for the petitioner.

Mr. Satya Pal Jain, Additional Solicitor General of India with
Ms. Saigeeta Srivastava, Sr. Panel Counsel
for respondent No.1-UOI.

Mr. Sahil R. Bakshi, AAG, Punjab
for respondents No.3 to 5.

Mr. Divyadeep Walia, Advocate
for respondent No.6.

Mr. Ashish Gupta, Advocate
for respondent No.7.

Mr. Rohit Joshi, Advocate
for respondent No.8.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant petition, cast under Articles 226/227 of the Constitution of India, a prayer is made for issuance of a mandamus, upon the official respondents No.1 to 6, to register an FIR against the respondents No.7 and 8, and also for initiation of department enquiry against them.

2. Earlier, the petitioner has preferred the Public Interest Litigation, bearing CWP-PIL-56-2022, with the similar relief, as sought through the instant petition, which was dismissed as withdrawn, vide order dated



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13.05.2022, with liberty to avail the alternate remedy. The relevant extract of the order passed by the Division Bench of this Court, is extracted hereinafter:-

“Learned counsel for the petitioner prays for and is permitted to withdraw the writ petition with liberty to avail the remedies available to the petitioner under the law, if so advised.

Dismissed as withdrawn with the aforesaid liberty.”

3. The instant petition is a misconceived motion, inasmuch as, despite the petitioner being seized of an alternate and efficacious statutory remedy for redressal of his grievance, and without approaching the competent authorities concerned, he has sidetracked the said remedy, and has straightway accessed this Court, through instituting the instant writ petition.

4. In such circumstances, this Court refrains from exercising its power, as envisaged under Article 226/227 of the Constitution of India. Accordingly, the instant writ petition is **dismissed**.

5. However, liberty is reserved to the petitioner to approach the competent authorities concerned, in case, his grievance still survives.

6. The amount of Rs.50,000/-, as deposited by the petitioner in the instant petition, shall be treated as costs, for filing the instant misconceived motion.

(KULDEEP TIWARI)
JUDGE

March 11, 2025
Manpreet

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