



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

(128)

**CRWP No. 8060 of 2025 (O&M)
Date of Decision: 30.7.2025**

Kamal Kant Hasija

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Petitioner in person.

KIRTI SINGH, J. (ORAL)

1. The present petition has been filed under Article 226 of the Constitution of India read with Section 528 of the BNSS, 2023 seeking quashing of the order dated 29.5.2025 passed by this Court in CRR(F) No. 836 of 2025 titled as '*Kamal Kant Hasija versus Geetu Hasija and others*'. Furthermore, a prayer has also been made for quashing of the order dated 20.5.2025 passed by the learned Additional Principal Judge, Family Court, Faridabad in Execution Petition No. Exe/585/2022, titled as '*Geetu Hasija versus Kamal Kant Hasija*'.

2. At the outset, when a pointed query was posed to the petitioner who was appearing in person as to how the present writ petition under Article 226 of the Constitution read with Section 528 of the BNSS, 2023 is maintainable to seek setting aside or recall of the order dated 29.05.2025 passed by this very Bench in CRR(F)-836-2025 whereby conditional warrants issued against him, were quashed subject to the payment within the stipulated time period, the petitioner submitted that according to him, the said order had been passed on the basis of a statement made by his then



counsel which, as per his assertion, was made due to a misunderstanding.

3. Heard.

4. It is settled law that a writ petition under Article 226 cannot be invoked to challenge, set aside, or recall an order passed by the same Bench of this Court in earlier proceedings. Entertaining such a plea would amount, in substance, to exercising a power of review or recall in the form of a fresh writ petition, which is impermissible in law and contrary to settled judicial discipline.

5. As regards the grievances about the statement made by learned counsel or other alleged procedural lapses, these contentions, even if assumed to be correct, cannot render the present petition maintainable. All the pleas raised herein are questions of fact, which can be raised before the Executing Court concerned at the appropriate stage.

6. In view of the above, the instant petition is dismissed being not maintainable, leaving it open to the petitioner to pursue such appropriate remedies as may be available to him, in accordance with law.

7. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

July 30, 2025
Gurpreet Singh

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