



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

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CRM-M-62099-2025
Date of decision: 03.12.2025

RAMAN KUMAR KOCHARPetitioner

VERSUS

STATE OF PUNJAB AND OTHERSRespondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Hasrat Brar, Advocate
for the petitioner.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed for seeking directions to the official respondents No. 2 to 4 to take action against private respondents No. 5 to 10 on the basis of representation dated 19.08.2025 about the private respondents taking forcible possession of the property.

2. It is however not disputed that the petitioner had initially filed a civil suit for permanent injunction bearing Civil Suit No.405 of 2015 which was decreed in his favour to the effect that the possession of the petitioner shall not be interfered with except in accordance with due process of law. Thereafter, a Civil Suit for physical possession by way of specific performance of the agreement dated 23.10.2015 was filed by the respondent No.5 against the wife of the petitioner. Counsel for the petitioner had

however argued that the said suit was decreed in favour of the private respondents, only to the extent of the basement, however, the private respondents took forcible possession of the first floor and second floor as well.

3. Counsel for the petitioner was asked to refer to the agreement to sell dated 23.10.2015, for execution whereof Civil Suit No. 74 of 2019 was filed by the respondents and which was decreed in their favour. Counsel has however failed to produce the said agreement before the Court.

4. Counsel was further directed to point out from the judgment and decree dated 19.03.2024 (which was filed for specific performance of agreement to Sell dated 23.10.2025) and show that the decree is qualified and is restricted only to the extent of basement/ground floor, however, he is not in a position to refer to any part of the judgment or the decree wherein the decree could be said to be limited to the extent of basement/ground floor only and not for the first floor and second floor.

5. To the contrary, he has been confronted with the relief and the decree passed by the Civil Court wherein it had been allowed in respect of shop measuring 7 ½ feet by 20 ft., as shown by red colour in letters A, B, C, D in the site plan Ex. P2. The decree does not mention about any floor plan and is with respect to the entire building. He is not in a position to confront the decree by any document. Besides, it is also not disputed that a bailiff was appointed to deliver possession of the property to the respondent. It is also not disputed that a complaint in relation to the above incident has already been filed by the petitioner before the Illaqa Magistrate.

6. Under the given circumstances, it is apparent that the petitioner has made an attempt to seek relief from this Court by raising a plea that the decree is limited to a specific property description whereas the said factual aspect is not corroborated by the decree in question.

7. I find that the petitioner is indulging in forum shopping by filing multiple proceedings and by non-disclosure of material facts. While deprecating such an attempt, the present petition is dismissed with a cost of Rs. 20,000/- to be deposited with the “District Legal Services Authority, Ferozepur, on the petitioner for his misadventure.

(VINOD S. BHARDWAJ)

DECEMBER 03, 2025

JUDGE

Vishal Sharma

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No