



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

116

CWP-15865-2026

Date of Decision: 22.05.2026

RAJIV KUMAR

...Petitioner

Versus

STATE OF PUNJAB AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL
HON'BLE MR. JUSTICE VIKAS SURI

Present:- Ms. Chahat Gupta , Advocate, for the petitioner.

SUVIR SEHGAL, J. (ORAL)

1. This writ petition has been filed *inter alia* for issuance a writ restraining the respondents from making any fresh allotment or creating third party right in respect of apartment allotted to the petitioner.

2. During the course of argument, it has transpired that petitioner has filed a civil suit, Annexure P-28 for decree of declaration to the effect that he is the owner of an apartment in a housing scheme floated by Ludhiana Improvement Trust (for short “the Trust”) and for declaration to the effect that letter dated 09.04.2024 cancelling the apartment is illegal. Relief of mandatory injunction has also been sought against the Trust. Along with this suit, an application has been filed for *ad interim* injunction against the respondents for restraining them from taking any coercive steps against the interest of the petitioner and from further allotting/alienating the apartment. Counsel points out that application for *ad interim* injunction was not pressed before the trial court and it was dismissed as not pressed. Instead of filing a fresh application, in accordance with law, petitioner has



approached this Court by way of instant writ petition.

3. From the above facts, it is evident that petitioner is abusing the process of the Court as civil suit filed by the petitioner for the same relief is still pending. Application filed by the petitioner for injunction has been withdrawn and instead of availing the remedy available, in accordance with law, petitioner has invoked the extraordinary power of this Court, which is impermissible. In this backdrop, this Court is left with no other alternative except to dismiss the writ petition with costs, which are quantified at Rs.10,000/- to be deposited with Armed Forces Flag Day Fund, Account No.65239030779, SBI-20D, Chandigarh, IFSC Code SBIN0051273 within one month.

4. Copy of the order be sent to the trial Court to ensure that the order is complied with.

(SUVIR SEHGAL)
JUDGE

(VIKAS SURI)
JUDGE

May 22, 2026
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No