



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

204

CWP-8671-2016

Date of Decision:- 25.05.2026

ANIL KABOTRA

....Petitioner(s)

Versus

CHANDIGARH ADMINISTRATION & ORS.

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY**

Present: Mr. Pawan Sharda, Advocate (arguing counsel)
Mr. Karanbir Singh, Advocate
for the petitioner.

Mr. Sumeet Jain, Additional Standing counsel (arguing counsel)
Mr. Himanshu Arora, Advocate
for U.T. Chandigarh.

Mr. Piyush Khanna, Advocate
for respondent No.2.

Mr. Anand Chhibbar, Sr. Advocate (arguing counsel)
Mr. Shaurya Khanna, Advocate,
Ms. Ateev Raj Sandhu, Advocate
for respondent No.3 to 5.

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SANJIV BERRY, J.

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India in the form of Public Interest Litigation, claiming the petitioner to be a public-spirited person, seeking writ in the nature of mandamus directing respondent No.1 and 2 to take appropriate action against respondent No.3 for allegedly flouting the provisions of Companies Act, 1956, as well as the terms and conditions of the lease deed



with impunity. A further direction has also been sought to respondent No.1 to nominate three members, including Finance Secretary and two other officials in the Managing Committee of respondent No.3, besides appointing an Administrator and to get the investigation conducted in the affairs of respondent No.3.

2. After hearing learned counsel for the parties and perusing the record, it transpires that the petitioner has instituted the instant Public Interest Litigation essentially on the ground of mis-management by respondent No.3, purportedly in violation of the provisions of Companies Act, 1956.

3. A perusal of the record would show that the petitioner himself is having personal grudge against the management of respondent No.3, which is evident from his own pleadings.

4. It transpires that the petitioner was a member of the Club having Membership No.1280. He has averred that pursuant to an alleged conspiracy hatched by certain members, he was served with a show cause notice dated 27.10.2009, and his membership was suspended vide letter dated 27.10.2009. Despite submission of a reply by him, his membership was not restored.

5. Aggrieved thereby, the petitioner filed a civil suit, which was decreed vide Annexure P-1 and appeal preferred thereagainst was also dismissed vide judgment dated 23.03.2016 (Annexure P-2).

6. In this regard, it is pertinent to mention here that in order to regulate the Public Interest Litigation, this High Court has framed the maintainability of Public Interest Litigation Rules, 2010, with a view to



regulate the filing of such petitions and to protect the judicial process from becoming vexatious or commercially motivated litigation. The aforesaid Rules form part of Volume V. Chapter 1-A(C) of the High Court Rules and Orders. Clause 6 thereof reads as under:-

“Ordinarily, the PIL may be entertained on any subject of vital public importance, such as

(a) Bonded Labour matters.

(b) Neglected Children.

(c) Petitions from riot victims.

(d) Petitions complaining of harassment or torture of persons belonging Scheduled Castes, Scheduled Tribes and other Backward Classes by the others or by the police.

(e) Petition pertaining to environmental pollution, disturbance of ecological balance, forest and wild life.

(f) Petitioners complaining violation of human rights.”

7. There is explicit restriction for the individual from using the Public Interest Litigation to resolve their private grudges, which instead requires civil proceedings, writ petitions or other appropriate remedies available under the law.

8. The petitioner has filed the present petition in the form of Public Interest Litigation for settling his own personal grudge, as is evident from the pleadings on record. Even in the earlier round of litigation, he had availed the remedy of a civil suit. Such disputes cannot be looked into within the purview of Public Interest Litigation, which involves lot many disputed facts, falling beyond the scope of judicial review under Articles 226/227 of the Constitution of India.

9. In these aforesaid circumstances, we are not inclined to



entertain the present petition in any manner and the same is accordingly dismissed with liberty to the petitioner to avail appropriate remedy available to him in accordance with law.

10. Pending applications, if any, also stand disposed of.

(SANJIV BERRY)
JUDGE
25.05.2026
S.Sharma

(SHEEL NAGU)
CHIEF JUSTICE

i)	<i>Whether speaking/reasoned?</i>	<i>Yes/No</i>
ii)	<i>Whether reportable?</i>	<i>Yes/No</i>