



**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CONTEMPT APPLICATION (CIVIL) No. - 1074 of 2024

Shital Arora And Another

.....Applicant(s)

Versus

Bikram Chhabra And Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Dheeraj Awasthi, Ananya Govind
Sharma
Counsel for Opposite Party(s) : Ghulam Mohammad Kamil, Ajey
Singh, Durgesh Kumar Pathak,
Prabhakar Nath Mishra, Satyendra Nath
Verma

Court No. - 8

HON'BLE MANISH KUMAR, J.

1. The present contempt application has been preferred against the alleged non-compliance of judgement and order dated 02.03.2023 in the matter Under Article 227 No.1072 of 2023.

2. In the present case vide order dated 7.8.2025, the Respondent No.1 was held guilty under the Contempt of Courts Act, 1971 for non-compliance of order dated 02.03.2023 passed by the writ court, but on the request of Respondent No.1, the Court has granted time for making payment. The relevant paras of the order dated 7.8.2025 passed in the present contempt application is quoted hereinbelow:

"Accordingly, this Court hold that Bikram Chhabra S/o Late Surendra Kumar Chhabra is guilty of contempt of the order passed by the writ court dated 02.03.2023 in Matter under Article 227 no.1072 of 2023.

The Court had also specifically required the contemnor in person to respond if he wants to add anything in pursuance of his reply to which he only stated that he requires time to make the payment and that he also admits that the order of the Court has been violated.

Considering the aforesaid facts and circumstances, list on 28.08.2025 for sentencing.

It will be open for the contemnor to comply with the order by then which may be noticed by the Court while taking into consideration the sentence to be awarded. "

3. On the next date fixed i.e. 28.08.2025 the case was adjourned on the joint request of the parties in terms of the earlier order dated 7.8.2025, so

one more opportunity was available with the Respondent No.1. The case was listed on 19.11.2025. Again one month time was granted to the Respondent No.1 to refund the amount of consideration. But today learned counsel for the Respondent No.1 has submitted that Respondent No.3, to whom the payment is to be made is met with an accident and he is in the Hospital.

4. On being asked from the learned counsel for Respondent No.1 that Respondent No.1 could have gone to the Hospital for the purpose of making payment in compliance of the order passed in the present case as undertaking given by the Respondent No.1, for that he has no reply. This is nothing but a delaying tactics has intentionally been made by Respondent No.1 since 7.8.2025 when he was held guilty but the time was granted on his request, so the clear contempt is made out against Respondent No.1 and he is liable to be punished for contempt of Court under Section 12 of the Contempt of Courts Act, 1971.

5. Accordingly, the Respondent No.1 Bikram Chhabra S/o Late Surendra Kumar Chhabra is awarded a sentence of three months simple imprisonment and a fine of Rs.2000/-.

6. The amount of fine shall be deposited within one week and he shall surrender before the C.J.M. Bahraich to serve the sentence within one week from today. In case he does not surrender within the time given above, the C.J.M. Bahraich shall cause him to be arrested to serve out the sentence.

7. The Registry is directed to send the copy of this order to the C.J.M. Bahraich.

8. The contempt application is allowed.

(Manish Kumar,J.)

December 17, 2025

S. Kumar