

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.7213 of 2014

Date of Decision.01.05.2015

Lachhwant Singh

.....Petitioner

Versus

Sh. P.K. Malhotra, Secretary, Department of Legal Affairs, Ministry of
Law and Justice, Government of India, Shastri Bhawan, New Delhi

.....Respondent

Present: Ms. Sukhmani Tiwana, Advocate for
Mr. Vikas Singh, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. The revision petition is against the dismissal of the petition seeking for action of contempt before the Court below. I asked the counsel to explain as to how the petition for contempt was possible before the Court below other than the High Court and the Supreme Court in a situation where a contempt for disobedience was sought in the manner provided Order 39 Rule 2-A CPC or Order 39 Rule 32 CPC.

2. The counsel for the petitioner points out to me that under the Rules framed by the Court under the Contempt of Court (Punjab and Haryana) Rules, 1974, the High Court will have the power to take action for civil contempt, inter alia, on a reference made to it by the Court which is subordinate to the High Court. I do not have the benefit of having the copy of the petition filed before the Court but I venture to

believe that such a prayer was made. Even if it was not asked, I set aside the order and direct the Court below to consider the plea for a reference and pass appropriate order.

3. The order passed by the Court below is set aside and remitted to the Court below for taking appropriate action. The civil revision is disposed of with the above directions.

(K. KANNAN)
JUDGE

May 01, 2015
Pankaj*