

**220-3 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

COCN-65-2021

Date of decision: 22.03.2021

Bhupinder Singh

.....Petitioner

versus

Shri A.K. Aggarwal, General Manager,
The Ludhiana District Co-operative
Milk Producers' Union Ltd.

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. D.V. Sharma, Senior Advocate with
Mr. Harit Sharma, Advocate and
Mr. Tushar Sharma, Advocate
for the petitioner.

Mr. Ashwani Prashar, Advocate
for the respondent.

FATEH DEEP SINGH, J.

Due to outbreak of pandemic COVID-19, the instant case
is being taken up for hearing through video conferencing.

The petitioner-Bhupinder Singh has instituted this
contempt petition under Section 12 of the Contempt of Courts Act,
1963 seeking punishment for the respondent-General Manager, the
Ludhiana District Co-operative Milk Producers' Union Ltd., Verka Milk
Plant, Ludhiana, for intentionally violating order dated 12.11.2020 of
this Court passed in CWP No. 16923 of 2020 titled as 'Bhupinder
Singh versus State of Punjab and others' which is as below:-

“The matter has been taken up through video-conferencing on account of outbreak of pandemic COVID-19.

Learned counsel for the petitioner submits that respondent No. 4 is only the proforma respondent and service upon him may be dispensed with.

Ordered accordingly.

Learned State counsel as well as counsel for respondent No. 3 pray for some time to file reply.

Reply by respondents No. 1 to 3 and documents by the two sides, if necessitated, be filed well before the next date of hearing with advance copy to the other side.

In the meanwhile, parties to maintain status quo over the functioning of the Ludhiana District Cooperative Milk Producers' Union Ltd. Ludhiana.

List on 16.12.2020.”

from where it is explicit that orders of *status quo* were passed over functioning of the Ludhiana District Co-operative Milk Producers Union Limited Ludhiana. Earlier, the Registrar, Co-operative Societies Patiala Division, Patiala in complaint dated 28.05.2020 by Sukhjot Singh against Bhupinder Singh Kular Chairman, Verka Milk Plant, Ludhiana for his removal vide order dated 16.06.2020 removed the Chairman from his office and appeal of Bhupinder Singh as he cannot remain member of the Milk Union because he was elected thrice as Committee member of the Society continuously and has dismissed the appeal of the present petitioner whereby, upholding the orders of Registrar.

This Court vide detailed order dated 22.03.2021 passed in two civil writ petitions (CWP-10527-2020 titled as 'Bhupinder Singh versus State of Punjab and others' and CWP-16923-2020 titled as 'Bhupinder Singh versus State of Punjab and others') both by the present petitioner-Bhupinder Singh had observed that because of the embargo of Section 26-B (II), the election of the petitioner as his election as Chairman of the Union is illegal and he ceases to hold that office. Thus, to the mind of this Court, the orders, on the basis of which, the instant contempt petition under Section 12 of the Contempt of Courts Act, 1963, was only interim in nature which merged with final order and therefore, is no violation and thus, no contempt has come about. In view of the same, the contempt petition does not sustain and is dismissed at the preliminary stage.

22.03.2021*Neha***(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No