

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No.57 of 2022 (O&M)
Date of Decision :02.08.2023

Rajeev Arora and others

.....Appellants

Versus

Satyawan and another

..... Respondents

LPA No.83 of 2022 (O&M)

Rajeev Arora and others

.....Appellants

Versus

Sube Singh

..... Respondent

**CORAM: HON'BLE MR.JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR.JUSTICE ARUN PALLI, JUDGE**

Present : Mr. Deepak Balyan, Addl. A.G. Haryana.

Mr. Akshay Bhan, Sr. Advocate with
Mr. Amandeep Singh Talwar, Advocate for the respondents
in LPA No.57 of 2022
Mr. S.S.Sahu, Advocate for the respondent
in LPA-83-2022.

RAVI SHANKER JHA, CHIEF JUSTICE (Oral):

Learned Senior counsel appearing for the respondents submits that the original contempt petitions COCP Nos.1862 of 2021 and 2517 of 2021, from which the impugned order dated 13.12.2021, that are the subject matter of these appeals, arise, have been decided as infructuous by the learned Single Bench, in view of the interim order that had been passed by this Court in these appeals and therefore, nothing survives in these appeals.

Learned Senior counsel for the respondents in LPA No.57 of 2022 as well as learned counsel for the respondent in LPA-83-2022, do not dispute this fact, however, after taking into consideration the law laid down by the Supreme Court in the case of **Midnapore Peoples' Coop. Bank Ltd. and others Vs. Chunilal Nanda and others (2006) 5 Supreme Court Cases 399**, and **Manjula Choudhary Vs. Priyanka Chauhan 2015(4) MPLJ 704**, submit that in such circumstances as the impugned orders no longer survive being interim orders passed in contempt petitions which have subsequently been decided as infructuous, the respondents may be granted liberty to assail orders dated 11.08.2021 and 12.10.2021 respectively, passed by the authorities, rejecting their representations, by filing fresh petitions. Learned Senior counsel submits that the respondents in LPA No.57-2022, had, in fact, filed a writ petition against the order dated 11.08.2021, which was registered as CWP No.19177 of 2021, but the same was disposed of as infructuous on 20.12.2021, in view of the impugned interim order passed in the contempt petition. He submits that it may be observed that the order dated 20.12.2021 (ibid) withdrawing the petition shall not come in the way of the petitioners in filing fresh writ petition(s).

Learned Additional Advocate General, Haryana, has no objection to the course suggested by the learned Senior counsel.

In the circumstances, as the original contempt petitions have already been decided as infructuous, the impugned interim orders passed

in contempt petitions do not survive. Thus, the present Letters Patent Appeals are disposed of granting liberty to the respondents to file fresh petition(s) assailing the order dated 11.08.2021 and 12.10.2021 respectively, passed by the authorities, if so advised.

All the pending civil miscellaneous applications also stand disposed of.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

02.08.2023
Manoj Bhutani

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No