

Date of Decision: 28.02.2024

.....Petitioner

VIVEK SHEEL SONI

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Brijeshwar Singh Bhalla, Advocate for the petitioner.

Mr. Gagneshwar Walia, Advocate and
Mr. Aditya Sharda, DAG, Punjab.

RAJBIR SEHRAWAT, J. (ORAL)

This is a contempt petition filed under Section 12 of the Contempt of Courts Act, 1971 for initiating the contempt proceedings against the respondent for not complying with the order dated 11.01.2024 passed by the Punjab State Human Rights Commission.

Since, the order qua which the contempt is alleged by the petitioner has been passed only by the Punjab State Human Rights Commission, therefore, the contempt petition *per se* is not maintainable. A Commission establish by the government for its own purposes cannot be taken as a court for the purpose of Sections 12 and 15 of the Contempt of Courts Act. Furthermore, Hon'ble the Supreme Court in the case of ***Dr. Subramanian Swamy Versus Arun Shourie, 2014 (12) SCC 344***, has held that the Commission cannot be taken as a 'court' for the purposes of Contempt of Courts Act. Hence, this Court does not find any ground to interfere in the matter.

Dismissed.

(RAJBIR SEHRAWAT)
JUDGE

28.02.2024

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Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No