



**COCP-1874-2023 (O&M)**

**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

**COCP-1874-2023 (O&M)**

**Date of Decision: September 25, 2025**

Nitin Mittoo

.....Petitioner

Vs.

Ram Pal Mittal and ors.

.....Respondents

**CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Ms. Neha Jain, legal aid counsel  
for the petitioner.

Mr. Animesh Sharma, Addl.A.G. Punjab

Mr. H.K. Aroura, Advocate  
for respondent No. 4.

Ms. Promila Nain, Advocate  
for respondent Nos 2, 3 and 5.

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**SUDEEPTI SHARMA J. (Oral)**

1. The present contempt petition has been filed for non-compliance of order dated 13.03.2023 passed by Division Bench of this Court in CWP-PIL-18-2023.

2. The operative part of order dated 13.03.2023 passed by Division Bench of this Court in CWP-PIL-18-2023 is reproduced as under:-:-

*“Learned Assistant Advocate General, Punjab, entering appearance on advance copy, submits that the authority concerned shall look into the matter and take a decision on the representations (ibid) in accordance with law.*

*Asking the aforesaid statements of learned counsel for the parties, and in terms thereof, the petition stands disposed of.”*

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3. In compliance of the above order, reply by way of affidavit dated 07.10.2023 of Mr. Amit Kumar Panchal, IAS, Commissioner, Municipal Corporation, Phagwara has been filed on behalf of respondent No. 4. The relevant portion of the same reads as under:-

*“2 That the petitioner has concealed the material facts. In this regards, it is submitted that the petitioner served a copy of the order dated 13.3.2023 passed by this Hon'ble Court in.CWP-PIL-18-2023 through Sh. Satnam Singh Thakur, Advocate vide legal notice dated 20.3.2023 as is evident from Annexure P-8 which was received on 24.3.2023. The respondent no.4 immediately responded to the said legal notice and sent a detailed reply to his counsel vide office letter no.1046 dated 11.4.2023 through registered post on 2.4.2023 (Annexure R-4/1) as well as at his email id on 11.4.2023 (Annexure R-4/2). However, this fact has not been disclosed and has been deliberately withheld by the petitioner in his contempt petition. Had this fact been disclosed by the petitioner, there would not have been any cause of action for him to file the present petition. Hence, the petition is liable to be dismissed*

*2. That the petitioner was duly informed that the Municipal Corporation. Phagwara is already doing the needful at its end and is making arrangements for the stray animals i.e. cows and bulls roaming in the city. The Corporation had called a meeting of four Gaushalas of Phagwara City on 23.8.2022 and had also sent a letter to the said Gaushalas vide office letter no.2634-2637 dated 17.8.2022 whereby their representatives were asked to take care of the stray animals and to make proper arrangements for the waste management of their respective Gaushalas.*

*The petitioner was further informed that when the representatives of all the Gaushalas of Phagwara City showed their inability to adjust more animals in their respective Gaushalas, Dr. Nayan Jassal, the then Commissioner, MC*

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*Phagwara directed the Chief Sanitary Inspector vide office letter dated 29.3.2023 to manage the stray animals by shifting them to Sultanpur Lodhi, Faridkot and Shahkot. She also issued another letter to the Superintending Engineer of the Municipal Corporation, Phagwara on the same day and directed him to give estimate for the construction of a separate Gaushala and for procuring the Animal Catcher Vehicle and the requisite staff. Vide nother office letter of the same date, she also directed the Municipal Town Planner of the Corporation to find out the appropriate space/place for the construction of a new Gaushala for taking care of the destitute animals.*

*Thus, when the representations of the petitioner have already been looked into and his counsel has already been informed about the compliance of the order dt.13.3.2023 passed by this Hon'ble Court and the Corporation is taking active steps for the management of destitute animals, there was no occasion for him to file the present contempt petition which is nothing but a sheer abuse of the process of the court,*

*4 That apart from this, vide office letter No.1244 d.2.5.2023, the then Commissioner, MC Phagwara sought a list of present Gaushalas from the Chairman, Punjab Gau Sewa Commission, Mohali so that the necessary arrangements could be made for the shifting of stray animals. Vide office letter no.1253 dated 3.5.2023, the Deputy Commissioner, Kapurthala was informed that there is no government Gaushala within the jurisdiction of Municipal Corporation, Phagwara, therefore, it is difficult to manage the destitute cows. In order to manage them, they are to be sent to Government Gaushala at Sultanpur Lodhi and, for this purpose, permission may be granted.*

*5. That, the Chief Sanitary Inspector, MC Phagwara also submitted a report on 4.5.2023 that the Head of Shree Radhey Krishna Gau Dham Trust (Regd.) Gaushala, village Kaind, Ludhiana has agreed to keep the destitute cows of the Corporation in the said Gaushala for their care and*

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*management and, for that purpose, an agreement containing the terms and conditions including the expenditure to be met out by the Corporation has also been executed with the Trust on 16.5.2023. The said agreement is valid from 1.6.2023 to 31.5.2026.*

*6. That as per the said agreement, the Municipal Corporation, Phagwara has shifted 36 destitute cows from time to time to Shree Radhey Krishna Gau Dham Trust (Regd.) Gaushala, village Kaind, Ludhiana to date for their care and management. The photographs are duly appended herewith as Annexure R-4/3”*

4. In view of the above, order dated 13.03.2023 passed by Division Bench of this Court in CWP-PIL-18-2023 has already been complied with. This fact is not disputed by learned counsel for the petitioner.

5. Accordingly, the contempt is purged. Rule is *discharged*.

6. Pending application (s) if any also stands disposed of.

**(SUDEEPTI SHARMA)**  
**JUDGE**

**September 25, 2025**

Gaurav Arora

Whether speaking/non-speaking : Yes/No

Whether reportable : Yes/No