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

COCP-2370-2023

Date of decision: 26.08.2025

**PANKAJ KUMAR MALHOTRA****..Petitioner****Versus****SHENA AGGARWAL****..Respondent****CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Ms. Gursharan Kaur Mann, Sr. Advocate  
with Ms. Armandeep Kaur Sidhu, Advocate  
Mr. Anmol Jeevan Singh Gill, Advocate  
for the petitioner.

Mr. Ashok Bazaz, Advocate  
for respondent (through v.c.).

**SUDEEPTI SHARMA, J. (Oral)**

1. The contempt petition has been filed for deliberate and intentional disobedience of order dated 06.12.2022 passed in CWP-(PIL)-125-2022.

2. The relevant portion of order order dated 06.12.2022 passed in CWP-125-2022, is reproduced as under:-

*“Learned Assistant Advocate General appearing on behalf of the respondent-State of Punjab, on advance copy submits that the respondent-authorities shall look into the matter and take a decision on the representation filed by the petitioner as expeditiously as possible in accordance with law.”*

3. Learned counsel appearing on behalf of respondent contends that in compliance of order dated 06.12.2022, an affidavit of Mr. Aaditya Dachalwal, IAS, Commissioner, Municipal Corporation, Ludhiana dated



18.09.2024 along with Annexure R/1 and R/2, has been filed, which is attached with the present petition. This fact is not disputed by the learned counsel for the petitioners.

4. The relevant paras of affidavit dated 18.09.2024 are reproduced as under:-

*“2. That in compliance of the orders passed by the Government, the deponent has joined as Commissioner, Municipal Corporation, Ludhiana on 14.09.24. Prior to the joining of the deponent as Commissioner, Sh Sandeep Rishi, IAS was posted as Commissioner, Municipal Corporation, Ludhiana.*

*3. That consequent upon the passing of the orders dated 06.12.2022, Annexure P/1 by this Hon'ble High Court in CWP (PIL) no 125 of 2022, the then Commissioner, Municipal Corporation, Ludhiana thoroughly examined the prayer of the petitioner for taking action against building numbers 71-B, 74-B, 80 & 81 and 91, Kitchlu Nagar, Ludhiana for wholly or partly using the Residential building for non- residential purpose. In the office report, it was reported that the area falls within the boundary of the Development Scheme of Kitchlu Nagar, and this development scheme was framed by the Ludhiana Improvement Trust in exercise of the powers vested under section 28 of the PTI Act 1922 and this development scheme was duly sanctioned under section 42/43 of the PTI Act, 1922 by the Govt. Further, on sanction of the Development scheme by the Govt., the ownership of all the lands/plots carved out within the scheme vested in the Ludhiana Improvement Trust. Accordingly, the plots and other lands falling within scheme boundary were allotted/auctioned by the Ludhiana Improvement Trust. Further, in the letter of allotment, issued by the Ludhiana Improvement Trust, it*



*was inter alia mandated that the plot can be utilized only for the purpose it is allotted and in case of violation, the Ludhiana Improvement Trust can cancel the allotment. In the office report, it was also reported that the impugned buildings, which are wholly or partly used as Hospitals and similar non-residential purpose were constructed more than 20 years ago and no addition/alterations have been made therein since the civic infrastructure of the scheme area and building control was handed over to Municipal Corporation in the year 1993, as provided in Section 55 of the PTI Act, 1992. Therefore, it is case of violation of the "Terms and Conditions" of allotment, therefore, it is squarely within domain of the Ludhiana Improvement Trust to take further action. In these circumstances, a detailed and reasoned order no 167/PS dated 13.03.23, Annexure P/2 was passed for information of the petitioner and simultaneously, a copy of the said order dated 13.03.23 was also sent to the Ludhiana Improvement Trust vide letter no 1793-A/ ATO-D dated 14.03.23, Annexure R/1. Thus, the compliance of the Hon'ble High Court order dated 06.12.2022 was duly made by the Municipal Corporation, Ludhiana. Accordingly, the present Contempt petition is not maintainable, therefore, is liable to be dismissed with exemplary costs."*

5. In compliance of order dated 06.12.2022, a speaking order dated 13.03.2023 has been passed, which is placed on record with the present contempt petition as Annexure P-2.

6. A perusal of speaking order dated 13.03.2023, shows that order dated 06.12.2022 passed in CWP-(PIL)-125-2022, has been complied with.



7. In view of the above, the contempt is purged and rule is discharged.

8. Needless to say that liberty is however granted to the petitioner to challenge the speaking order dated 13.03.2023 in accordance with law.

August 26<sup>th</sup>, 2025  
*Ayub*

(SUDEEPTI SHARMA)  
JUDGE

*Whether speaking/reasoned* : *Yes/No*  
*Whether reportable* : *Yes/No*