



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

COC-3485-2025 (O&M)

Date of Decision: October 30, 2025

Radheshyam

.....Petitioner

Vs.

Shantanu Sharma and ors.

.....Respondents

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

Present: Mr. Sushil Kumar Verma, Advocate  
for the petitioner.

Mr. N.K. Ganga, Advocate  
for respondent No. 3.

Mr. Mohit Kakkar, Advocate  
for respondent No. 4

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**SUDEEPTI SHARMA J. (Oral)**

1. The present contempt petition has been filed for non-compliance of order/judgment dated 30.01.2024 passed by Division Bench of this Court in CWP-1635-2024.
2. A perusal of the petition shows that the petitioner was not even a party in the writ petition still he filed the present contempt petition.
3. Learned counsel for the petitioner contends that the petitioner is a villager and is aggrieved by the encroachment of the respondents.
4. Since the petitioner was not a party before the learned Division Bench in the above writ petition, therefore, the present contempt petition is not maintainable. Despite having due knowledge of the legal position, the petitioner proceeded to initiate the present contempt proceedings and continued to pursue the same without any justifiable or tenable grounds of law, which is a gross abuse of



the judicial process and contributes significantly to the burgeoning pendency of cases before this Court.

5. Similar matter has already been dealt with by this Court in COCP-3579-2025 decided on 24.07.2025 titled as “***Payal Chaudhary V/s KAP Sinha IAS and others***”, while placing reliance on the judgments passed by Hon’ble Supreme Court in case titled as “***Dalip Singh V/s State of Uttar Pradesh and others (2010) 2 SCC 114, Subrata Roy Sahara V/s Union of India (2014) 8 SCC 470 and K.C. Tharakan V/s State Bank of India & Ors. Passed in Writ Petition (Civil) Diary No(s).27458/2022.*** The relevant paragraphs of ***Payal Chaudhary (supra)*** are reproduced as under:-

*“9. It is evident that the petitioner has engaged in what can only be described as a frivolous and vexatious litigation spree, seemingly driven by a misplaced sense of grievance. Such conduct constitutes a gross abuse of the judicial process and contributes significantly to the burgeoning pendency of cases before this Court. The tendency of litigants to misuse the judicial forum by engaging in forum shopping, filing repetitive and meritless petitions, and adopting dilatory tactics undermines the very foundation of our legal system and clogs the administration of justice.*

*10. The Hon’ble Supreme Court, in ***Dalip Singh Vs. State of Uttar Pradesh and others (2010) 2 SCC 114***, has cautioned against this emerging category of unscrupulous litigants who, devoid of respect for truth, resort to falsehood and unethical practices in their pursuit of relief. The Supreme Court emphatically held that such litigants, who seek to pollute the stream of justice or who dare to touch the fountain of justice with unclean hands, are not entitled to any relief, interim or final. Relevant extracts of the same is reproduce as under:-*

*“In the last 40 years, a new creed of litigants has cropped up. Those who belong to this creed do not have any respect for truth. They shamelessly resort to falsehood and unethical means for achieving their goals. Courts have evolved new principles to curb such abuse, and it is now well established that a litigant who attempts to pollute*



*the stream of justice or touches the pure fountain of justice with tainted hands is not entitled to any relief, interim or final.”*

11. *The petitioner’s conduct in instituting frivolous litigation has resulted in a gross misuse of the judicial process, thereby squandering the valuable time and resources of this Court. It is imperative, in the interest of justice, that bona fide and timely claims are adjudicated expeditiously, without being impeded by vexatious and unscrupulous litigation. At this juncture, reference may be made to the pertinent observations of the Hon’ble Supreme Court in **Subrata Roy Sahara v. Union of India (2014) 8 SCC 470**, wherein the Court lamented the pervasive malaise of frivolous litigation afflicting the Indian judicial system. The Hon’ble Apex Court observed as under:-*

*“The Indian judicial system is grossly afflicted with frivolous litigation. Ways and means need to be evolved, to deter litigants from their compulsive obsession towards senseless and illconsidered claims. One needs to keep in mind, that in the process of litigation, there is an innocent sufferer on the other side of every irresponsible and senseless claim. He suffers long drawn anxious periods of nervousness and restlessness, whilst the litigation is pending, without any fault on his part.”*

12. *The Hon’ble Supreme Court has consistently emphasized the need to deter frivolous appeals and petitions by imposing exemplary costs on the litigating parties. In Writ Petition (Civil) Diary No(s). 27458/2022 titled as **K.C. Tharakan v. State Bank of India & Ors.** decided on 01.05.2023, the Hon’ble Apex Court held as follows:*

*“No legal system can permit a situation wherein a party repeatedly agitates the same issue after it has been conclusively adjudicated by the highest judicial forum. Such conduct amounts to a gross misuse of the judicial process and results in a significant waste of valuable judicial time. Accordingly, the present writ petition is dismissed with costs. However, taking into consideration that the petitioner is a dismissed employee, we deem it appropriate to impose a nominal cost. The writ petition is, therefore, dismissed with costs quantified at ₹10,000/-, to be deposited with the Supreme Court Advocates-on-Record Welfare Fund, to be utilized for the benefit of the SCBA Library.”*

6. In view of the above referred to judgments, this Court is firmly of the opinion that the instant petition constitutes a glaring instance of misuse of the judicial process. It is, therefore, incumbent upon this Court to safeguard the



sanctity of judicial proceedings and to prevent their exploitation by unscrupulous litigants. The time and resources of this Court are limited and must be reserved for *bona fide* grievances that merit judicial consideration.

7. As a sequel to above discussion, and with intention of conveying a strong deterrent message, this Court deems it just and proper to impose costs upon the petitioner.

8. Accordingly, the present contempt petition is dismissed with **costs** of Rs.10,000/- (Rupees Five Thousand only) for filing such kind of frivolous contempt. The said amount shall be deposited by the petitioner within a period of two weeks from the date of this order with the Punjab and Haryana High Court Employees Welfare Association, Account No.37167209613, IFSC Code: SBIN0050306, State Bank of India, High Court Branch, Chandigarh.

9. In the event of default in compliance, the amount shall be recovered from the petitioner as arrears of land revenue by the competent authority.

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

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

**October 30, 2025**

Gaurav Arora

Whether speaking/non-speaking : Yes/No

Whether reportable : Yes/No