



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

COCP-3450-2025

Date of decision : 28.10.2025

M/s Krishna Industries

... Petitioner

Versus

Pankaj and another

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Dr.Pankaj Nanhera, Senior Advocate with
Mr.Sashikant Singh, Advocate
for the petitioner.

Mr. Raj Partap Singh Brar, AAG, Haryana.

Mr.Sukhdeep Parmar, Advocate
for respondent no.2.

VIKAS BAHL, J.(ORAL)

1. This is a Contempt Petition filed under Sections 10 and 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India for initiating proceedings against the respondents for non-compliance of the order dated 28.05.2020 (Annexure P-1) passed by the Division Bench of this Court in CWP-29604-2017.

2. Learned counsel for respondent no.2 has brought to the notice of this Court the letter dated 06.10.2025 (Annexure R-2/4) which is a letter issued by the Commissioner, Municipal Corporation, Faridabad to the



present petitioner stating that on the fulfillment of the conditions and the payment of the amount mentioned in the letter, the complete compliance of the judgment dated 28.05.2020 in favour of the petitioner would be done within a period of three weeks from the date of the fulfillment of the said conditions.

3. Learned counsel for the petitioner has submitted that a perusal of the judgment of the Division Bench dated 28.05.2020 would show that the necessary change of land use / conversion of building certificate was to be done within a period of four months from the receipt of certified copy of the order. Further specific reference has been made to para 21 of the said judgment, which is reproduced hereinbelow:-

“21. Relief.

Consequently, orders dated 18.11.2017 (P-13), 14.12.2017 (P-16) and order dated 07.08.2018 (P-16/B), are hereby set aside and application dated 27.06.2017 (P-12) in view of the aforementioned detailed observations is allowed. Respondents are directed to complete the remaining formalities, if any, qua issuance of change of land use / conversion of Building Certificate, as envisaged under the Statute/Rules, within a period of four months from the receipt of the certified order of the copy of the instant judgment, on acceptance of usual fees charged by them after adjusting the fee, if any already paid. It is further directed that the reasons

2025:PHHC:147058



mentioned in the order dated 14.12.2017 (P-16) for declaring the construction illegal are also set aside, as the construction was declared illegal in view of the fact that site was yet to be earmarked as an Industrial Plot .

Allowed in the aforesaid terms.

It is clarified that if the aforestated directions are not complied within the stipulated time then the Competent Authority, the Commissioner Municipal Corporation Faridabad or the Director Urban Local Bodies, Haryana, as the case may be, shall be personally liable for the loss of business to the Petitioner in terms of the damages towards the non functioning of the Factory on the said plot and also liable for the loss of revenue to the State / Municipal Corporation, apart from being liable to be hauled up for the contempt of the Court.”

Learned counsel for the petitioner has submitted that even the compliance report submitted by the respondents would show that in spite of the fact that the said judgment was passed in year 2020, the process was initiated on 22.08.2025 and has submitted that in the said circumstances, the petitioner is entitled to claim damages for the loss of business etc. It is further submitted that as per instructions, even the amount which is sought to be charged vide Annexure R-2/4 is excessive.



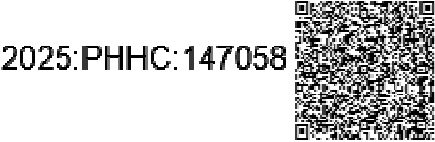
4. During the course of arguments, a fair stand has been taken on behalf of the petitioner as well as counsel for respondent no.2.

5. In view of the said fair stand and with the consent of the counsel, the present petition is disposed of with the following observations / directions:-

i) The petitioner would comply with the conditions and make payment as mentioned in Annexure R-2/4 and on his doing so, the respondents would grant all permissions in accordance with the judgment of the Division Bench dated 28.05.2020 within a period of three weeks from the date of compliance.

ii) The payment of the amount mentioned in Annexure R-2/4 would not be treated as an estoppel against the petitioner who wishes to challenge the imposition of the said amount, after the payment has been made and after necessary permission has been granted, in accordance with law. In case any such proceeding is initiated, it would be open to both the parties to raise all pleas as are available to them.

iii) It would also be open to the petitioner to institute proceeding for claim of damages etc. as observed in para 21 of the judgment of the Division Bench by making necessary pleas. In case any such proceeding is instituted, it would be open to both the parties to raise all pleas, in accordance with law and



the disposal of the present contempt petition would not come in the way of the petitioner as an estoppel to pursue the said case or even for the respondents to raise their defence.

iv). In case the necessary compliance as mentioned in direction no.(i) is not done, it would be open to the petitioner to revive the present contempt petition.

(VIKAS BAHL)
JUDGE

October 28, 2025.
Davinder Kumar

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