

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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2025:PHHC:098425



COCP No.3775 of 2025 (O&M)
DECIDED ON: 2nd August, 2025

Navita Chhikara

.....Petitioner

VERSUS

Sh. Vineet Garg and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE **NIDHI GUPTA.**

Present: Mr. Sajjan Singh, Advocate for the petitioner.
Mr. Priyavrat Parashar, AAG Haryana.

NIDHI GUPTA., J (ORAL)

1. The present contempt petition has been filed alleging violation of order dated 16.07.2020 (Annexure P-1) passed by the Co-ordinate Bench of this Court in **CWP No. 707 of 2019** titled as '*Navita Chhikara Versus State of Haryana and others.*'

2. Learned counsel for the petitioner submits that the above said Civil Writ Petition was disposed of this Court vide above said order dated 16.7.2020 passed in terms of order dated 16.07.2020 passed in **CWP No. 2715 of 2020** titled as '*Ritika Vs. State of Haryana and others*' whereby the respondents were directed to consider the claim of the petitioners in the light of policy guidelines dated 04.03.2020 within one month and pass individual speaking orders. It is submitted that it was further directed that in case the claims of the petitioners are found to fall within the parameters of the policy

guidelines dated 04.03.2020, they be continued/appointed; however, in case it was found that claims of the petitioners are not covered under the above policy, the details with regard to the clause which rendered the petitioners ineligible be specified detailing therein as to which qualification is not possessed by the candidates. Learned counsel submits that the said direction of the Co-ordinate Bench has not been complied with.

3. Learned counsel for the State vehemently controverts the submissions of the petitioner and submitted that services of the petitioner had been continued by the respondent/Department upto 29.04.2023; whereafter the petitioner was relieved vide Displacement Letter dated 29.04.2023. It is submitted that Displacement Letter dated 29.04.2023 was challenged by the petitioner by way of CWP No.10192 of 2023 which was disposed of by this Court vide Order dated 11.05.2023 whereby the respondent-Director General, Higher Education was directed to consider the case of the petitioner. The respondent considered the claim of the petitioner and passed Speaking Order dated 27.10.2023 and rejected the claim of the petitioner for her readjustment on the post of Extension Lecturer. Against the said Speaking Order dated 27.10.2023, the petitioner has filed CWP No.28189 of 2023 titled as Navita Chhikara vs. State of Haryana and has exhausted her remedies as mentioned in Paragraph No.4 of the present petition. In the CWP No.28189 of 2023, Notice of Motion has been issued by the Co-ordinate Bench vide order dated 15.12.2023 (Annexure P-5) and the same is pending for 08.08.2025. It is accordingly submitted that no contempt is made out against the respondents.

4. Heard.

5. It is not disputed by the petitioner that pursuant to order dated 16.07.2020 services of petitioner was retained; and the petitioner has been

relieved only vide order dated 29.04.2023. It is also not denied by the petitioner that the said order dated 29.4.2023 has already been challenged by the petitioner before this Court by way of above said CWP No.28189 of 2023 (Annexure P-5). Clearly therefore, no violation of order dated 16.07.2020 is made out.

6. Furthermore, a contempt petition cannot lie after 5 years of the passing of order dated 16.7.2020. As per Section 20 of the Contempt of Courts Act, 1971 *‘No Court shall initiate any proceedings of contempt, either on its own motion or otherwise, after the expiry of a period of one year from the date on which the contempt is alleged to have been committed.’* Thus, a contempt petition cannot be entertained at this belated stage in respect of order dated 16.7.2020.

7. In a recent judgment, the Hon’ble Supreme Court in **S. Tirupathi Rao v. M. Lingamaiah and Others (SC) : Law Finder Doc Id # 2618555** has held that:

“Delay in filing a contempt petition should be adequately justified, and the court must adhere to the limitation period stipulated under Section 20 of the Contempt of Courts Act.

*A. Contempt of Courts Act, 1971
Section 20 Limitation for actions for contempt - The High Court's judgment allowing a review petition without adhering to the limitation period was erroneous - The contempt petition was barred by limitation as it was filed more than five years after the order, and no sufficient cause for delay was shown - The concept of "continuing wrong" must be adequately pleaded and established to overcome the limitation bar.”*

8. Thus, keeping in view the above said facts, the present petition stands **dismissed**.

9. Rule is discharged.

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

2nd August, 2025
reema

(NIDHI GUPTA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
Whether reportable	No