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

COCP-3973-2025

Date of decision: 18.08.2025

GRAM PANCHAYT VILLAGE NANGAL JATTAN

..Petitioner

Versus

KAP SINHA CHIEF SECRETARY AND OTHERS

..Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Harmanjit Singh Jugait, Advocate
for the petitioner.

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

SUDEEPTI SHARMA, J. (Oral)

1. The contempt petition has been filed for deliberate and intentional disobedience of order dated 19.12.2011 passed in CWP-10595-2009.

2. The relevant portion of the order dated 19.12.2011 is reproduced as under:-

“So far as claim of the Punjab Wakf Board to the effect that the land in dispute is the wakf property, is concerned, counsel for respondent No.5-Punjab Wakf Board states that the Board will file petition before the Collector under Section 11 of the Village Common Lands Act, as it is only the Collector, who has the jurisdiction to decide this question. In view of this stand, taken by the Punjab Wakf Board, it will be open for the Board to file the title suit under Section 11 of the Village Common Lands Act. If any such title suit is filed by the Punjab Wakf Board, the same



will be considered and decided in accordance with law, without being influenced by any observation made in this order. So far as the petitioner is concerned, he has no legal right to raise the question of title and to remain in possession of the land in dispute, because his possession is totally illegal and unauthorised.

In view of the above, we do not find any merit in this petition and it is, hereby, dismissed with liberty to the Punjab Wakf Board to file title suit against the Gram Panchayat.”

3. As per the order dated 19.12.2011, this Hon’ble Court granted liberty to the respondent-Punjab Wakf Board, to institute appropriate proceedings under Section 11 of the Punjab Village Common Lands (Regulation) Act, 1961 against the concerned Gram Panchayat for adjudication of the title dispute.

4. It was further observed that the petitioner has no legal right, title or interest in respect of the land in question, and his possession, if any, is wholly illegal, unauthorised, and without the sanction of law. Accordingly, the petitioner was not vested with any *locus standi* to either assert a claim of ownership or to remain in possession of the disputed property.

5. This clearly indicates that there has been no violation or disobedience of the Court’s order dated 19.12.2011. 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.



6. 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.”



7. 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.

8. 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.

9. Accordingly, the present contempt petition is dismissed with costs of Rs.20,000/- (Rupees Twenty Thousand only) for filing such kind of frivolous contempt. The said amount shall be deposited by the petitioner within a period of two months 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.

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

August 18th, 2025

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**(SUDEEPTI SHARMA)
JUDGE**

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