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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CACP-91-2025 (O&M)

Date of Decision: 07.08.2025

NARESH BATRA

... APPELLANT

VS.

Dr. MAHESH BATRA (SINCE DECEASED) THROUGH LRS AND
OTHERS .. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR

Present: Mr.Vijay Kumar Jindal, Senior Advocate with
Mr. Abhishek Shukla, Advocate and
Mr. Bhavya Vats, Advocate,
for the appellant.

ASHWANI KUMAR MISHRA, J. (ORAL)

1. The appellant seeks to challenge the order passed by the contempt Court on 01.08.2025 clarifying the previous order of the Court dated 23.07.2025. The contempt was dismissed vide order dated 14.03.2024 and clarification application was also disposed of vide order dated 23.07.2025 which is reproduced as under:-

The present application has been filed seeking clarification of order dated 14.03.2024 to the extent that as and when the Civil Court decrees the civil suit in favour of the petitioners, it would pass necessary orders for encashment of the bank guarantee amount in accordance with law.

Learned counsel for the applicants-petitioners contends that despite directions given by this Court vide order dated 14.03.2024 regarding encashment of bank guarantee amount as and when the civil suit filed by the petitioner is decreed, the bank guarantee is not encashed.

I have heard learned counsel for the applicants-petitioners. Relevant portion of the order dated 14.03.2024 of which

the applicant is asking for clarification is reproduced as under:-

“Needless to say that the Civil court will pass the necessary order for encashment of the said bank guarantee amount, as and when the civil suit filed by the petitioner is decreed, but in accordance with law.”

A perusal of the above shows that it does not require any clarification since, the order is very clear with respect to the directions to the Civil Court that as and when the civil suit filed by the petitioner is decreed it would pass necessary order for encashment of the bank guarantee amount but in accordance with law.

This Court finds that the order is very clear to the extent that the civil Court is required to do the exercise immediately on the passing of the decree.

Disposed of accordingly.”

2. When the clarification of the aforesaid order was sought, the learned Single Judge vide order dated 01.08.2025, rightly observed that there was no occasion to make any clarification on the application filed by the appellant.

3. Learned Senior Counsel for the appellant submits that while rejecting the application for clarification, the Court had omitted to observe that the Court concerned is to proceed in accordance with law.

4. The objection made in the present appeal, in our view, is not sustainable inasmuch as the learned Single Judge while dismissing the clarification application has only reiterated the contents of the earlier order passed on 23.07.2025, which thus required the Court to proceed in accordance with law. Such reiteration was otherwise implicit in the order and was not required to be stated again.

5. In such view of the matter, this Court declines to interfere in the present appeal and the same is accordingly dismissed and consigned to records.
6. All pending miscellaneous application(s), if any, also stands disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

07.08.2025
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Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No