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

COCP-4405-2025**Date of decision: 29.08.2025****VIJAY KUMAR AND ORS.****..Petitioners****Versus****ALOK SHEKHAR AND ANR****..Respondents****CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. Gagneshwar Walia, Advocate
for the petitioners.

Mr. Ravneet S. Joshi, DAG, Punjab.

SUDEEPTI SHARMA, J. (Oral)

1. The contempt petition has been filed for deliberate and intentional disobedience of order dated 29.08.2023 passed in CWP-18983-2023, which is reproduced as under:-

“1.The petitioners seek benefits of seniority, pay scale, pay fixation etc. on account of the fact that other similarly situated Constables, who were selected in the same recruitment process, are getting high pay scale.

2. Learned counsel for the petitioners submits that although the petitioners have submitted a legal notice dated 5.6.2023 (Annexure P-16), but to no avail.

3. Upon an advance copy of petition having been served upon the State, Mr. Inderpreet Singh Kang, AAG, Punjab, puts in appearance on behalf of the respondents and has submitted that the State shall consider the claim of the petitioners and that a speaking order would be passed on the legal notice dated 5.6.2023 (Annexure P-16) in accordance with law.



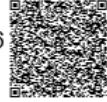
4. In view of the aforesaid position, the instant petition is disposed of with a direction to respondent No.2 – Director General of Police, Punjab Police Headquarter, Sector – 9, Chandigarh to consider and decide the legal notice dated 5.6.2023 (Annexure P-16) by passing a speaking order expeditiously preferably within a period of 4 months from today.”

2. This Court has directed respondent No.2-Director General of Police, Punjab to consider and decide the legal notice dated 05.06.2023 by passing a speaking order. The petitioners have placed on record speaking order dated 12.03.2024, passed by the Office of the Director General of Police, Punjab, Chandigarh, as Annexure P-3, which is passed in compliance of order dated 29.08.2023.

4. Knowing that order dated 29.08.2023 is complied with and there is no disobedience, still the present contempt petition has been filed by placing on record speaking order dated 12.03.2024 as Annexure P-3, which is in compliance of order dated 29.08.2023.

5. This clearly indicates that there has been no violation or disobedience of the order dated 29.08.2023 passed by this Court. Despite having due knowledge of the legal position that the contempt petition is not maintainable since there is no disobedience of any order passed by this Court still the present contempt petition is filed, 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."

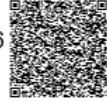


11. *The petitioner's conduct in instituting frivolous litigation has resulted in a gross misuse of the judicial process, thereby squandering the valuable time and resources of this Court. It is imperative, in the interest of justice, that bona fide and timely claims are adjudicated expeditiously, without 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 petitioners.

9. Accordingly, the present contempt petition is dismissed with costs of Rs.10,000/- (Rupees Ten Thousand only) for filing such kind of frivolous contempt. The said amount shall be deposited by the petitioners 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.

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

August 29th, 2025

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**(SUDEEPTI SHARMA)
JUDGE**

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