



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

210 + 103

**COCP-4143-2024 (O&M)
Date of decision: 12.08.2025**

JARNAIL SINGH LIB. RESTORER (RETD) ..Petitioner

Versus

SH. KAMAL KISHORE YADAV, IAS AND ANR ..Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. S.B Nagpal, Advocate
for the petitioner.

Mr. Karunesh Kaushal, Addl. A.G., Punjab.

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SUDEEPTI SHARMA, J. (Oral)

1. The contempt petition has been filed for deliberate and intentional disobedience of order dated 28.02.2024 passed in CWP No.4546 of 2024.

2. The relevant portion of the order dated 28.02.2024 is reproduced as under:-

“5.In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction that in case the petitioner submits a representation within a period of four weeks, the same shall be considered and decided by the respondents taking into account the pleas of the petitioner, within a period of six months and if found entitled, necessary benefit be granted to him forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating him therewith.”



3. In compliance of order dated 28.02.2024 passed by this Court, a speaking order dated 20.05.2024 has been passed which is attached with the present petition as Annexure P-29.

4. As per order dated 28.02.2024 passed by this Court, the respondents had to decide the representation within six months and a perusal of speaking order dated 20.05.2024 shows that the order dated 28.02.2024 has been complied within six months itself. This shows that there is no disobedience of order dated 28.02.2024.

5. The petitioner was fully aware that the directions issued vide order dated 28.02.2024 in CWP No. 4546 of 2024 had been duly complied with through a speaking order dated 20.05.2024. Nevertheless, the petitioner proceeded to file the present contempt petition and continued to press the same without any tenable or justifiable basis.

6. 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.

7. 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.”

8. 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 ill-considered 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.”

9. 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.”

10. This Court is of the considered view that the present petition is a stark example of such abuse. It is thus imperative for this Court to uphold the sanctity of the judicial process and prevent its pollution by unscrupulous litigants. The time and resources of the Court are finite and must be preserved for genuine grievances deserving of judicial intervention.

11. In the light of the foregoing, and with the objective of sending a strong deterrent message, this Court finds it appropriate to impose exemplary costs upon the petitioner.



12. Accordingly, the present contempt petition is dismissed with costs of Rs.30,000/- (Rupees Thirty 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 judgment with the treasure of Punjab and Haryana High Court Bar Association, which shall be utilized for construction/renovation of Women Bar Room, Punjab and Haryana High Court, Chandigarh.

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

14. Pending miscellaneous applications, if any, are also disposed of.

August 12th, 2025
Sahil

(SUDEEPTI SHARMA)
JUDGE

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