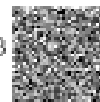


**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

2026.PHHC:070613



COCp-991-2026 (O&M)
Date of decision: 06.05.2026

BALJEET SINGH**..Petitioner**

Versus

RAMESH KUMAR**..Respondent****CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: None for the petitioner.

Mr. Harish Nain, AAG, Haryana.

SUDEEPTI SHARMA, J. (Oral)

On the last date of hearing, learned counsel for the petitioner requested for some time to assist the Court as to the maintainability of present contempt petition.

When the case was called in the morning, learned counsel for the petitioner appeared and sought passover.

When the case was called after passover, no one had put in appearance on behalf of the petitioner.

The present contempt petition has been filed for deliberate and intentional disobedience of order dated 16.05.2024 passed by State Information Commission, Haryana in Appeal No.3106 of 2024.

To decide the maintainability of the present contempt petition it would be apposite to reproduce certain statutory provisions of The Contempt of Courts Act, 1971:-

*“2.(b) “civil contempt” means wilful disobedience
to any judgment, decree, direction, order, writ or other*

process of a court or wilful breach of an undertaking given to a court.

X X X

10. Power of High Court to punish contempts of subordinate courts.- *Every High Court shall have and exercise the same jurisdiction, powers and authority, in accordance with the same procedure and practice, in respect of contempts of courts subordinate to it as it has and exercises in respect of contempts of itself:*

Provided that no High Court shall take cognizance of a contempt alleged to have been committed in respect of a court subordinate to it where such contempt is an offence punishable under the Indian Penal Code (45 of 1860)."

A bare reading of above referred to provisions shows that the civil contempt means wilful disobedience of any judgment, decree, direction, order, writ or other process of a Court or wilful breach of undertaking given to a Court. Further, Section 10 reads Power of High Court to punish contempts of subordinate Courts.

Now coming to Right to Information Act, 2005. As per Section 2, "State Information Commission" means the State Information Commission constituted under sub-section (1) of Section 15.

Section 15 details Constitution of State Information Commission and under Section 15(3) of Right to Information Act, 2005, the State Chief Information Commissioner and State Information Commissioner shall be appointed by Governor.

Further Section 23 of Right to Information Act, 2005 bars the jurisdiction of Courts and reads that no Court shall entertain any suit, application or other proceedings in respect of any order made under the

Right to Information Act, 2005 and no such order shall be called in question otherwise than by way of an appeal under the Right to Information Act, 2005.

As per definition of Courts under The Indian Evidence Act, 1872, “Court” includes all Judges and Magistrates, and all persons, except arbitrators, legally authorized to take evidence.

In view of the above, the present contempt petition is not maintainable.

Consequently, the present contempt petition is hereby dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

May 06th, 2026

Ayub/Sahil

(SUDEEPTI SHARMA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No