



CACP-13-2026 (O&M)

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117

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

**CACP-13-2026 (O&M)
Date of decision: 11.03.2026**

JASWINDER SINGH

....Appellant

Versus

KRISHAN KUMAR AND ANOTHER

...Respondents

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

Present: Mr. Jatinder Pal Singh, Advocate
for the appellant.

ASHWANI KUMAR MISHRA, J. (Oral)

1. This is an utterly misconceived appeal. A contempt petition was filed by the appellant (herein) alleging disobedience of a direction issued in CWP-6885-2025, which was disposed of vide following orders passed on 12.03.2025:-

“4. On the asking of the Court, Mr. T.P.S. Chawla, Senior Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the legal notice dated 03.02.2025 (Annexure P-19) has been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of eight weeks from the date of the receipt of certified copy of this order by passing an appropriate speaking order. Learned counsel further submits that in case, it is found feasible to accept the claim of the petitioners, the same will be accepted, otherwise



due reasons will be mentioned for not accepting the claim of the petitioners in the speaking order to be passed and the said order will be duly conveyed to the petitioners.

5. Learned counsel for the petitioners submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.”

2. On filing of the contempt petition, the respondents had placed on record the order by which the claim of the appellant was rejected. The contempt petition has consequently been dismissed by observing as under:-

“5. Heard.

6. A perusal of the order dated 12.03.2025 (C-1) reveals that the only direction to the respondents was to decide the legal notice dated 03.02.2025. This Court, while exercising jurisdiction under the Contempt of Courts Act, 1971, is not required to go into the merits or demerits of the order passed. The order dated 12.03.2025 (C-1) passed by this Court stands complied with in letter and spirit.

7. In view of the above, no further orders are required to be passed in the present contempt petition and the same is accordingly dismissed. Pending applications, if any, also stand disposed off.

8. Needless to say the petitioner, if so aggrieved, would always be at liberty to avail his remedies as available in law.”

3. It is against this order of dismissal of contempt petition, that the present appeal has been filed.

4. At the very outset, we indicated the learned counsel for the appellant that since there was no direction issued by the learned Single Judge while disposing of the writ petition, and his claim otherwise having stood

rejected by passing a speaking order, there was no occasion for filing of contempt petition. Despite such observations of the Court, learned counsel insists that the matter be heard as there were some oral directions and that the affidavit filed by the respondents clearly makes out a case of contempt. We do not find existence of any order on record of which disobedience could be alleged. Filing of the contempt petition itself was wholly misconceived.

5. An appeal in terms of Section 19 of the Contempt of Courts Act, 1971 would be maintainable only against an order of punishment passed in exercise of contempt jurisdiction. We fail to understand as to how a contempt appeal could be filed in such circumstances. The filing of contempt appeal is nothing but an outcome of misconceived advice tendered to the appellant. Since he is due to retire shortly, we refrain from imposing any costs, but the appellant is advised to remain careful in future while filing such petitions. Appeal stands dismissed accordingly.

6. Pending applications, if any, shall stand disposed of accordingly.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

MARCH 11, 2026
mohit goyal
Whether speaking/reasoned
Whether reportable

: Yes / No
: Yes / No