



104

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

COCP-1133-2026 (O&M)
Date of decision: 09.04.2026

Ishita Sharma and another

...Petitioners

Versus

H. Rajesh Prasad and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ramdeep Partap Singh, Advocate and
Mr. Sahil Koul, Advocate for the petitioners.

Ms. Shubreet Kaur, Additional Standing Counsel and
Mr. Dhruv Walia, Advocate for respondents-UT Chandigarh.

VIKAS BAHL, J. (ORAL)

1. This is a Contempt Petition filed under Section 10 & 12 of the Contempt of Courts Act, 1971 for initiation of contempt proceedings against the respondents for their willful and intentional disobedience of the order dated 29.09.2025 (Annexure P-1) passed by the Coordinate Bench of this Court.

2. On 13.03.2026, this Court had passed the following order:-

*“Present: Mr. Ramdeep Partap Singh and Mr. Sahil Koul,
Advocates for the petitioners.
Ms. Shubreet Kaur, Additional Standing Counsel, U.T.
and Mr. Dhruv Walia, Junior Panel Counsel,
UT. for the respondents.*



It is submitted by learned counsel for the petitioner that petitioner No.1 was a student of Carmel Convent School, Sector 9-D, Chandigarh and had suffered serious injuries on account of the negligence of the respondents-authorities and had thus filed CWP-20321-2023 which was allowed on 29.09.2025 by the coordinate Bench after hearing the counsel for the U.T. as well as counsel for the school. The operative part of the judgment dated 29.09.2025 is reproduced hereinbelow:-

“46. In view of the above facts and circumstances, this Court is of the considered view that the petitioner No.1 is entitled to compensation of ₹50 lacs, and the petitioner No.2 is entitled to compensation of ₹ 1 crore. This compensation shall be payable in addition to the amounts already disbursed to the petitioners under the State Disaster Response Fund.

47. Before parting with this verdict, this Court deems it imperative to pass the following directions upon the respondent(s) concerned:-

(a) The remedial measures/suggestions set out in the inquiry report submitted by the Committee shall be implemented in letter and spirit;

(b) This Court has been informed that the amount offered to the petitioner No.1 as one-time financial aid for the provision of a prosthetic limb has not been accepted by her parents, as they wish to explore the possibility of transplantation upon her attaining the age of majority. Accordingly, the Chandigarh Administration shall bear all expenses relating to her medical treatment arising out of the injuries sustained in the present unfortunate incident. This shall include the expenses of prosthetic arm/transplantation surgery, whether undertaken in India or abroad.

(c) It has also been brought to the notice of this Court that the school fee of the petitioner No.1 has been waived



for three academic sessions. The respondent No.4- School is directed to waive the school fee of the petitioner No.1 for all academic sessions until she completes her Senior Secondary Examination.

(d) The Education Department, U.T. Chandigarh, shall ensure that every school under its administrative control either permits students to consume their lunch/meals within their classrooms or provides a safe, hygienic and designated dining space for the consumption of meals by students.

48. Disposed of accordingly.

September 29, 2025”

It is submitted that in spite of lapse of five months and in spite of the petitioner having issued a legal notice dated 30.01.2026, the respondents have not released the compensation which the petitioners have been held entitled to.

Learned counsel for the respondents has submitted that against the order dated 29.09.2025, LPA has been e-filed on 12.03.2026 i.e. yesterday.

It is apparent that the said LPA has been filed after receiving advance copy of the contempt notice. At any rate, there is no stay of the operation of the order dated 29.09.2025.

Adjourned to 27.03.2026.

Let compliance report be filed by the next date of hearing.

To be shown in the urgent list.

In case the respondents do not comply with the directions given by the learned Single Judge with respect to payment of compensation to the petitioners, then the respondents are directed to be present through video conferencing.

March 13th, 2026”

3. On 30.03.2026, learned counsel for the respondents-UT, Chandigarh had submitted that the amount would be released to the



petitioners by the next date of hearing and accordingly, the matter was adjourned to today i.e., 09.04.2026.

4. Learned counsel for the respondents-UT Chandigarh has brought to the notice of this Court that against the judgment passed by the learned Single Judge, LPA No.765 of 2026 has been filed and the Division Bench of this Court had been pleased to pass the following order on 24.03.2026:-

***“CM-1916-LPA-2026; CM-1917-LPA-2026 in/and
LPA-765-2026 (O&M)
STATE OF UNION TERRITORY CHANDIGARH AND
OTHERS***

V/S

PANKAJ KUMAR AND OTHERS

*Present: Mr. Amit Jhanji, Sr. Standing Counsel UT with
Ms. Shubreet Kaur, Addl. Standing counsel
Mr. Dhruv Walia, Advocate and
Ms. Kudrit Sara, Advocate
for the appellant-UT, Chandigarh.*

Various submissions are raised with regard to the scope of writ proceedings as well as grant of compensation and the quantum specified.

Notice in the application for condonation of delay as well as in the main appeal.

Mr. Ramdeep Partap Singh, Advocate accepts notice on behalf of respondents No. 1 and 2 and prays for some time to file reply.

Notice be issued to respondent No.3 for 05.05.2026.

In the meantime, the appellants shall pay the amount within a period of two weeks, in terms of the order of the



learned Single Judge, which shall remain subject to outcome of the appeal. The amount earlier paid, however, would be open to be adjusted from the compensation determined under the judgment of the learned Single Judge.

24.03.2026”

5. Learned counsel for the respondents-UT Chandigarh has given a draft for an amount of Rs.80,00,000/- prepared in the name of petitioner No.2 and also a draft of Rs.40,00,000/- prepared in the name of petitioner No.1. The said drafts have been received by learned counsel for the petitioners.

6. Learned counsel for the respondents-UT Chandigarh has submitted that since the amount of Rs.30,00,000/- has already been paid by the respondents-UT Chandigarh, thus, after adjusting the said amount, the balance amount of Rs.1,20,00,000/- out of the entire amount of compensation awarded by the learned Single Judge i.e., Rs.1,50,00,000/- has now been paid subject to the outcome of the appeal. It is submitted that the said payment is in consonance with the order passed by the Division Bench of this Court on 24.03.2026.

7. Learned counsel for the petitioners has submitted that since a perusal of para 46 of the judgment of the learned Single Judge would show that total amount of compensation of Rs.1,50,00,000/- was over and above the amount already disbursed i.e., Rs.30,00,000/- to the petitioners, thus, as per the understanding of the petitioners, an amount of Rs.1,50,00,000/- was to be released although same was subject to the decision by the Division Bench of this Court. It is, however, submitted that in view of the stand taken by the respondents-UT Chandigarh, the present contempt petition be



disposed of but liberty be granted to the petitioners to move an appropriate application before the Division Bench of this Court.

8. Learned counsel for the petitioners has further highlighted Clauses (b) and (d) of para 47 of the judgment of the learned Single Judge. It is submitted that the petitioners are exploring the possibility of transplantation as petitioner No.1 has now attained the age of majority and since as per the direction issued, the Chandigarh Administration is to bear all the expenses, thus, they are also in the process of ascertaining the said expenses. It is submitted that in the said circumstances, the present contempt petition be disposed of but liberty be granted to the petitioners to revive the same or to institute a fresh contempt petition with respect to directions issued in para 47(b) and (d) of the judgment of the learned Single Judge.

9. Keeping in view the abovesaid facts and circumstances, the present contempt petition is disposed of with liberties aforesaid.

10. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

09.04.2026

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No