



LPA-958-2026 (O&M)

1

138

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

**LPA-958-2026 (O&M)
Date of decision: 08.04.2026**

NARINDER SINGH AND ANR

....Appellants

Versus

M/S H.P. SINGH AND OTHERS

...Respondents

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

Present: Mr. Onkar Singh Batalvi, Advocate
for the appellants.

ASHWANI KUMAR MISHRA, J. (Oral)

CM-2378-LPA-2026

Delay of 28 days in filing the appeal has been satisfactorily explained.

In that view of the matter, the application is allowed and accordingly, the delay of 28 days in filing the appeal is condoned.

Main case

1. This appeal arises out of an order passed by the learned Single Judge dismissing the contempt petition along with costs of Rs.30,000/- imposed upon the appellants.

2. It transpires that the appellants had filed a suit bearing No.CS/1010/2019 seeking permanent injunction against the defendants from raising construction on the suit land. No injunction was granted in the suit. However, in the revision filed before this Court bearing No.CR-1574-2020, an order of injunction came to be passed on 03.03.2020. An earlier contempt



LPA-958-2026 (O&M)

2

petition was filed alleging disobedience of the aforesaid order dated 03.03.2020. Orders were passed in the contempt proceedings, whereafter the offending constructions were apparently removed. An affidavit to this effect was filed, and therefore, the earlier contempt petition bearing No.COCP-1213-2020 was got dismissed as not pressed. Thereafter, the second contempt petition came to be filed on 10.01.2025 stating that after dismissal of the earlier contempt petition, the respondents are again raising constructions contrary to the order passed on 03.03.2020 in CR-1574-2020. It is this contempt petition which has been dismissed by the learned Single Judge observing that once the earlier contempt was dismissed as not pressed without any liberty granted to institute afresh proceedings, the filing of second contempt petition was an abuse of process of law.

3. During the course of submissions, we had enquired from the counsel as to what is the fate of the Civil Suit No.CS/1010/2019, arising out of which the civil revision itself was entertained and an interim order dated 03.03.2020 was passed. Learned counsel informs the Court that the suit has been dismissed on 27.02.2025. Once that be so, the injunction order dated 03.03.2020 passed in CR-1574-2020 cannot be relied upon to proceed with the contempt.

4. We are therefore of the view that the learned Single Judge has rightly dismissed the contempt petition.

5. However, we find that on the date of filing of second contempt petition, the allegation that the order dated 03.03.2020 was being violated, did furnish a ground for filing of second contempt petition. Though, in view of the dismissal of the suit, the subsequent contempt petition has rightly been dismissed, but no exception could have been taken to filing of the second

LPA-958-2026 (O&M)

3

contempt petition by the learned Single Judge, nor any costs was required to be imposed, for such reasons.

6. In such view of the matter, we dispose of this appeal by modifying the judgment dated 12.01.2026 of the learned Single Judge, insofar as the costs of Rs.30,000/- has been imposed upon the appellants, which in the facts of the case as noticed above, stands expunged.

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

(ASHWANI KUMAR MISHRA)
JUDGE

APRIL 08, 2026
mohit goyal

(ROHIT KAPOOR)
JUDGE

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