



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

Sr. No.112

COCP-1462-2026

Date of Decision: 06.04.2026

NISHAN SINGH

....Petitioner

Versus

GURPREET SINGH KHERA, MD PUNBUS

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Gursimran S. Bawa, Advocate
for the petitioner.

Ms. Jagriti Kalia, AAG, Punjab
for the respondent.

ARCHANA PURI, J. (Oral)

The petitioner has filed the present petition, for initiation of contempt proceedings, against the respondent, for wilful defiance of the order dated 23.02.2021, passed in CWP-4249-2021, copy whereof is Annexure P-3.

It is submitted by the counsel that even though, a time-bound direction was given to decide the representation, vide the aforesaid order, but however, despite the representation having filed, no requisite order has been passed on the said representation.



On query by this Court, counsel for the petitioner was unable to state, as to which representation was filed, within a period of one week, since the receipt of certified copy of the order dated 23.02.2021. Even, he was unable to state as to whether any representation was so filed, within the requisite period or not. However, while making reference to the legal notice dated 28.07.2025, copy whereof is Annexure P-4, submits that the same, as such, has not been decided. However, the aforesaid legal notice has been issued, after more than four years, from the date of passing of the requisite order dated 23.02.2021.

On query by this Court, learned State Counsel, who is making appearance on behalf of the respondent, has brought to the notice of this Court that this is the second contempt petition, filed at the behest of the petitioner. In fact, the earlier contempt petition i.e. COCP-4231-2025, was filed and the same was withdrawn, vide order dated 22.08.2025 and it was only thereafter that the aforesaid legal notice was issued. Further, a representation was also filed on 10.12.2025, copy whereof is Annexure P-6. The same was filed, after withdrawal of the earlier contempt petition.

In the light of the same, while making reference to paragraph No.8 of the petition, it is submitted by the counsel for the petitioner that on 22.08.2025, learned State Counsel had made an oral submission before this Court that the representation of the petitioner shall be considered and decided, within a reasonable time and on this account, the earlier contempt petition was withdrawn. Thereafter, the detailed representation dated 10.12.2025 was filed.



However, the submission aforesaid, made by the counsel for the petitioner, is palpably wrong. Firstly, it is pertinent to mention that the order dated 22.08.2025 was passed in COCP-4231-2025, by this Court itself, wherein it was simply stated that “*At this stage, counsel for the petitioner submits that he does not want to pursue with the present petition and the same be dismissed as withdrawn*”. However, therein, there is no mention made about the State Counsel having made any oral statement, thereby giving an undertaking before the Court, to consider and decide the representation, within a reasonable time. If any such statement is made, even if made orally by any counsel for the parties to the lis, the same is recorded by this Court in every case. However, such a statement does not appear to have been made in COCP-4231-2025. Even, learned State Counsel submits that no such statement was made by her and it is falsely so alleged.

In view of the aforesaid, the withdrawal was made without any observation being made, as no such statement was made by the State Counsel. Thus, the submission now made, by the counsel for the petitioner is palpably wrong. As such, it was on its own wisdom that the representation was filed again on 10.12.2025. Besides the same, as observed aforesaid, counsel for the petitioner was unable to state, as to whether any representation was filed within a period of one week, from the date of receipt of certified copy of the order dated 23.02.2021, passed by the Coordinate Bench in CWP-4249-2021.

In view of the aforesaid, it is pertinent to mention that no representation had been filed by the petitioner, within the stipulated period



and the same was filed after a period of more than 4 years. As such, the contempt process is not attracted.

Hence, the present contempt petition is hereby dismissed.

06.04.2026
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No