



121 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CACP-17-2026 (O&M)
Date of decision: 06.04.2026

Balwant Singh ...Appellant

Vs.

Ashwani Kumar Dogra ...Respondent

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

Present: Mr. Gulab Singh Narwal, Advocate
for the appellant.

ASHWANI KUMAR MISHRA, J. (Oral)

1. Learned Contempt Court has dismissed the contempt petition filed by the appellant vide order dated 10.03.2026 and imposed a cost of Rs.1,00,000/- to be paid to the respondent i.e. the General Manager, Haryana Roadways, Ambala City, District Ambala. Thus aggrieved, the appellant is before us in contempt appeal.

2. It transpires that an order was passed by the Writ Court on 09.04.2024 in CWP- 7216-2024, which reads as under:-

“XXX XXX XXX XXX

5. *Learned counsel for the petitioner submits that as the pensionary benefits have been released after a delay, he is entitled for grant of interest on the said delayed release of pensionary benefits, hence, liberty be given to approach the respondents for the grant of the same by filing appropriate representation and respondents be directed to decide the same in a time bound manner.*

6. *Learned counsel for the respondents submits that in case, any representation is received for the grant of interest on the delayed release of pensionary benefits, the same will*



*be decided within a period of eight weeks of the receipt of the same by passing an appropriate speaking order by keeping in view the fact that on the date of retirement there was no proceeding pending against the petitioner coupled with the settled principle of law settled by the Full Bench of this Court in **A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468.***

7. Learned counsel for the petitioner submits that in view of the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further with liberty as prayed for.

8. Ordered accordingly.”

3. In compliance of the directions, an order has already been passed by the concerned General Manager rejecting the claim of the appellant. Aggrieved by such order, the contempt petition is filed. Learned Single Judge has taken the view that the merits of the order rejecting the representation could not have been assailed in the contempt petition and accordingly, the contempt has been dismissed with costs.

4. Though various submissions are advanced, but we find substance in the view taken by the learned Single Judge that in the peculiar facts of the present case, the contempt petition itself was unmaintainable. No exception, therefore, can be taken to dismissal of the contempt petition. We are in agreement with the view expressed by the learned Single Judge that the merits of the speaking order by which the representation of the appellant was rejected, could not have been assailed in contempt proceedings. To this extent, we find ourselves to be in complete agreement with the view taken by the Contempt Court.

5. Learned counsel for the appellant, however, submits that the contempt petition was filed under a misconceived advice and that the petitioner himself is a retired employee, who would be greatly prejudiced if the

direction of the learned Single Judge is maintained so far as imposition of costs is concerned. Learned counsel, therefore, prays that he be permitted to withdraw the contempt petition with liberty to assail the legality of the speaking order by filing the writ petition.

6. Considering the fact that the appellant is a retired person and the claim was in respect of payment of interest on the delayed release of retiral benefits, we allow the appellant to withdraw the contempt appeal as also the contempt petition with liberty to assail the speaking order by filing the writ petition. Considering the peculiar facts of the case, we dispense with the requirement of deposit of costs of Rs.1,00,000/-.

7. Dismissed as withdrawn with the aforesaid liberty.

8. Pending application(s), if any, stand(s) disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

06.04.2026

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	Whether Reportable :	Yes	No