



COCP-1408-2023 (O&M)

-1-

104

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

COCP-1408-2023 (O&M)

Date of Decision: 26.05.2026

Manish Joshi

.....Petitioner

Vs.

Vijay Kumar Janjua and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present : Mr. Vineet Chaudhary, Advocate,
for the petitioner.

Mr. Ravneet S. Joshi, DAG, Punjab,
for the respondents.

Mr. Ankur Mittal, Senior Advocate, Amicus Curiae (Pro Bono)
with Ms. Kushaldeep Kaur, Advocate,
Ms. Ashna Singh, Advocate, and
Mr. Siddhant Arora, Advocate.

SUDEEPTI SHARMA J. (ORAL)

1. The present contempt petition has been filed for deliberate and intentional disobedience of order dated 06.03.2018 and order dated 30.08.2019 passed by this Court in CWP-8086-2013, whereby the following directions were issued:-

“After hearing the arguments of learned counsel for the parties, the following directions are necessary to be issued to all concerned which are as under:-

- 1. All the State Governments including the Boards/Corporations/Banks/Insurance Companies etc. shall appoint their Nodal Officers (Litigation) and shall display his particulars on their website. The Nodal Officer can also be utilized for handling litigation as well as the bills of the lawyers.*
- 2. The bills of a lawyer will be received against proper receipt and by giving proper number with*



an acknowledgement to the lawyer concerned, so that a proper record is maintained of the pending bills.

3. All the bills received by the concerned officer of the department or any other State Government, Board/Corporation etc. shall be forwarded by the said officer to a Nodal Officer as well, for record. It will be the duty of the Nodal Officer to ensure that the payment of the bill be made within the time prescribed.

4. The Nodal Officer or the officer concerned, who is responsible for clearing the bill, shall communicate the material objections, if any, within a period of two weeks to the lawyer concerned, with a copy to the Nodal Officer. In case of frivolous objections, it shall be the responsibility of the Nodal Officer to point out immediately to the department concerned to be careful while raising frivolous objections.

5. The department concerned shall ensure the required budget by considering the overall litigation and the last budget along with future requirement and to make available at the appropriate time when the budgetary provisions are made as sometime due to lack of budget, bills are not cleared and are kept pending. It shall be the responsibility of the concerned officer dealing with the finance matters that appropriate budget be kept for the payment of fee bills.

6. The State Governments shall also take appropriate steps to ensure that the pendency of the fee bills and its status may be put on some website/portal. The Central Government has already provide a portal in the name of LIMBS and module for the advocates which allows advocates to upload bills online and also to monitor the cases in a more proactive manner. Since the area of Central Government is throughout India, States are at liberty to create any other portal or module of that form besides activating the Nodal Officers.

7. In a situation, when a case is entrusted to an Advocate, who has specified his fee, the concerned authority is bound to pay as per his entitlement or policy applicable to the case. As per Rules and Orders of High Court Volume-I, Rules 1 and 1-A of Chapter 16-B, even in a situation where case has been withdrawn from an Advocate and no



misconduct or negligence is there on his/her part, the Advocate can not be denied fee.

8. In case there is delay in releasing the payments, the Advocates shall be entitled for interest as well.”

2. In compliance of the order dated 06.03.2018 and order dated 30.08.2019 passed by this Court in CWP-8086-2013, short reply by way of affidavit dated 29.05.2023 of K. Siva Prasad, Additional Chief Secretary, Department of Rural Development and Panchayats, Punjab, along with Annexures R-1 to R-5, has been filed on behalf of respondent No.2; compliance report by way of affidavit dated 12.12.2025 of Uma Shankar Gupta, Director, Department of Rural Development and Panchayats, Punjab, along with Annexures R-1 to R-4, has been filed on behalf of respondent No.3; status report by way of affidavit dated 29.01.2026 of Amit Talwar, Director, Department of Rural Development and Panchayats, Punjab, has been filed on behalf of respondent No.3; and status report by way of affidavit dated 06.03.2026 of Uma Shankar Gupta, Director, Department of Rural Development and Panchayats, Punjab, has been filed on behalf of respondent No.3, before the Registry. The same are taken on record.

3. Learned counsel for the petitioner contends that principal amount of Rs.2,54,17,324/- which become Rs.9,02,67,790/- by adding 18% interest per annum is due, which is to be paid to the petitioner.

4. Per contra, learned counsel for the respondents submits that whatsoever fee was due to the petitioner has been paid to him. He further submits that the petitioner wrote a letter to the Panchayat/Panchayat Samiti to defend their cases free of cost. Therefore, as per his instructions, no fee is



due to the petitioner. The matter was adjourned to many dates and a number of compliance affidavits were also filed by the respondents.

5. A perusal of the compliance affidavits filed by the respondents shows that no amount of fee is left to be paid by the respondents to the petitioner. Since there was a dispute regarding the fee bills and the payment of the same to the petitioner, therefore, this Court vide order dated 11.05.2026 has appointed Mr. Ankur Mittal, Senior Advocate as Amicus Curiae to assist this Court.

6. After perusal of the contempt petition as well as the compliance affidavits, learned Amicus Curiae submits that the respondents wrote a letter to the Panchayat/Panchayat Samiti to defend their cases free of cost and the amount of fee bills generated by the petitioner are huge and disputed. The same can be resolved by leading evidence, since as per the contentions in the contempt petition, the letter for defending the cases of Panchayat free of cost was withdrawn by the petitioner lateron.

7. I have heard learned counsel for the parties and perused the case file with the able assistance of learned Amicus Curiae.

8. A perusal of the contempt petition as well as compliance affidavits shows that a major amount of fee as alleged by the petitioner, is due, which is disputed by the respondents, for which contempt is not a remedy. Since the fee alleged/disputed fee is to be proved by way of leading evidence, therefore, no contempt is made out.

9. In view of the above, the present contempt petition is **dismissed.**



COCP-1408-2023 (O&M)

-5-

10. Needless to say that the petitioner is at liberty to avail remedy as is available to him in accordance with law for recovery of alleged fee.

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

12. Before parting with the matter, this Court deems it appropriate to place on record its sincere appreciation for the valuable assistance rendered by the learned Amicus Curiae in the proceedings pertaining to the year 2023. The diligence commitment and erudite assistance extended by learned Amicus Curiae have substantially aided this Court in the effective adjudication of the issues arising in the present contempt petition.

(SUDEEPTI SHARMA)
JUDGE

26.05.2026

Virender

Whether speaking/non-speaking : Yes

Whether reportable : Yes/No