



COC-1491-2023

207-1

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

COC-1491-2023 (O&M)

Date of decision : 20.03.2026

Sanjay Kakkar and another

...Petitioners

Versus

Anand Mohan Sharan and others

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Brahmjot Singh Nahar, Advocate,
for the petitioners.

Ms. Vasundhra Asija Bhandari, Advocate (through V.C.)
for the respondent(s)/HSVP.

None for the respondent(s)/HSI IDC.

HARPREET KAUR JEEWAN, J. (Oral)

1. Prayer in the present petition is for initiation of proceedings under Section 12 of the Contempt of Courts Act, 1971 (for short, 'the Act'), for willful disobedience of the order dated 16.02.2018 (Annexure P-1), passed by the larger Bench in CWP-15772-2013.

2. The present petition was ordered to be heard along with COCP-1182-2022.

3. Learned counsel for the respondent-HSVP informs that aforesaid order dated 16.02.2018, was passed in a batch of petitions including CWP-15780-2013. It is further informed that COCP-1182-2022 was filed by the petitioners therein against the alleged willful disobedience of order dated 16.02.2018, in which, interim order dated 25.04.2025 was passed. However, the larger Bench while deciding CACP-33-2025, has quashed the interim order dated 25.04.2025 and main petition, i.e. COCP-1182-2022, has been dismissed with costs vide



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order dated 03.02.2026. A copy of the said order (passed in CACP-33-2025) is taken on record.

4. It transpires that while allowing the CACP-33-2025, the larger Bench has observed that contempt petitions could not have been entertained at the instance of the respondent(s) (petitioners in the present petition as well as in COCP-1182-2022) for disobedience of the Writ Court's order dated 16.02.2018. It was also observed that such potential claims as were sought to be raised by the petitioners could not have been adjudicated in the contempt proceedings and entertainment of the contempt petitions as well as the orders passed therein by the Contempt Court goes wholly beyond the scope of contempt jurisdiction and cannot be sustained. The relevant observations made by the larger Bench are as under:-

“26. In such circumstances, we are at our wits' end to understand as to how at all a contempt petition could be entertained at the instance of the respondent for disobedience of the writ Court's order dated 16.02.2018.

27. We deprecate the filing of contempt petitions for establishing potential claims inasmuch as the settled principle governing the exercise of contempt jurisdiction is to punish only for willful and deliberate act of disobedience. Potential claims of the kind, as was sought to be raised by the applicant-respondent, could not have been adjudicated in contempt proceedings. The entertainment of the contempt petition as well as orders passed therein by the contempt Court goes wholly beyond the scope of its jurisdiction and cannot be sustained. We may also observe that there was no issue raised or adjudicated with regard to the cost of plot allotted but the Court has embarked upon those aspects also, in contempt jurisdiction.

28. We have no hesitation in coming to the conclusion that the proceedings before the learned Single Judge in exercise of contempt jurisdiction were wholly without jurisdiction, and therefore, requires interference in this appeal. Consequently, this appeal succeeds and is allowed. The order dated 25.04.2025, impugned in the present appeal, is quashed. The contempt petition, i.e. COCP-1182-2022, filed by the respondents is dismissed with costs quantified at Rs.1,00,000/- to be

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*deposited with the Poor Patient Welfare Fund, PGIMER,
Chandigarh.”*

5. In view of the aforesaid decision by the larger Bench of this Court in CACP-33-2025, no further action is required to be taken in the present petition and same stands dismissed.
6. Pending application(s) if any, shall also stand disposed of.

20.03.2026
atulsethi

[HARPREET KAUR JEEWAN]
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No