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

CACP-33-2025 (O&M)**Date of decision: 03.02.2026**

CHANDER SHEKHAR KHARE

....Appellant

Versus

RAMESH KUMAR SACHDEV AND ANOTHER

...Respondents

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

Present: Mr. Ankur Mittal, Senior Advocate with
Ms. Kushaldeep Kaur, Advocate
Mr. Shivendra Swaroop, Advocate
Ms. Ashna Singh, Advocate
Ms. Sharvi Dadhwal, Advocate
for the appellant.

Mr. Ashwani Kumar Chopra, Senior Advocate with
Mr. Brahmjot Singh Nahar, Advocate
for respondent No.1.

Mr. Akshit Chander, Advocate
for respondent No.2.

ASHWANI KUMAR MISHRA, J. (Oral)

1. Learned counsel for the appellant, at the very outset seeks, liberty of the Court to convert this Contempt Appeal into a Letters Patent Appeal.
2. Prayer made is allowed. The appellant is permitted to correct the nomenclature of the plea as a Letters Patent Appeal.
3. This appeal is a classic example of how the contempt proceedings are utilized to derive benefits which are far beyond the relief granted in a writ petition. Facts, which persuade us to make this observation, are noticed hereinafter.
4. It transpires that in the year 2008, the applicant-respondent was



allotted plot No.64 in Sector 26, Bhiwani by Haryana Urban Development Authority, now redesignated as Haryana Shehri Vikas Pradhikaran (in short 'HSVP'). Twenty-five per cent of the allotment money was paid and possession was delivered to the applicant-respondent. It transpires that the allotment to the applicant-respondent as well as other persons was challenged before this Court in Writ Petition No.2677 of 2008. Allegations were made in the writ petition that allotments were made for extraneous considerations. Various instances were cited to impeach the allotments. In respect of respondent – R.K. Sachdev also following allegation of favouritism was made:-

“R.K. Sachdev respondent No.25 is close relative of Rajiv Arora and smt. Jyoti Arora. According to the petitioners these husband and wife duo is posted as Senior IAS Officer in the State of Haryana.”

5. The writ petition was ultimately allowed on 12.11.2009 and the allotments made by HSVP, including one in favour of the applicant-respondent – R.K. Sachdev, was quashed. Operative portion of the judgment of the Division Bench of this Court dated 12.11.2009 is extracted hereinafter:-

“In these circumstances, we accept the present writ petitions, quash the allotments made 171 pursuant of the recommendations of the Committee and direct the respondent Haryana Urban Development Authority to evolve a criteria, which is in accordance with the requirements of law and observations made by us and to re-assess the comparative merit of the applicants. We propose no costs.”

6. The aforesaid judgment of the Division Bench has attained finality with dismissal of SLP on 15.03.2010.

7. In terms of the directions issued by this Court in Writ Petition No.2677-2008, the HSVP evolved fresh criteria for allotment of plots. As per the criteria so evolved, the candidates were subjected to interview, whereafter fresh



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allotments were made on 13.06.2013. In this allotment Plot No.64, which was earlier allotted to the applicant-respondent, was allotted to one Dharambir Nehra. The applicant-respondent was not selected for allotment. The earlier allotment made in favour of the applicant-respondent was also cancelled. Challenging the cancellation of his allotment as well as allotment of Plot No.64 in favour of Dharambir Nehra, the applicant-respondent approached this Court by filing Writ Petition No. 15780 of 2013 titled as 'R.K. Sachdev vs. State of Haryana and others'. In the writ petition, the following interim order was passed on 24.07.2013:-

"In the meanwhile, statues quo regarding impugned allotments of industrial plots be maintained."

8. The Writ Petition remained pending, and a subsequent order came to be passed in the matter on 14.05.2015, which is reproduced hereinafter:-

"The challenge in the present writ petitions (CWP Nos.15688, 15771, 15772 and 15780 of 2013) is to the allotment of industrial plots situated in the Industrial Areas of Roz-Ka-Meo, Hathin; Bahadurgarh; Hisar and Bhiwani for which applications were invited in the year 2007.

Earlier, the allotments were made in the year 2008. Such allotments became subject matter of challenge in number of writ petitions, one of them being CWP No.2677 of 2008 titled Babbar Bhan and another v. State of Haryana and others. The same was allowed on 12.11.2009 with a direction to evolve a criteria, which is in accordance with the requirements of law and observations made by the Court and to re-assess the comparative merit of the applicants. It thereafter, following criteria was framed:-

- | | | |
|----|------------------------------|----------|
| 1. | Financial Capability | 10 marks |
| 2. | Product, Capabaility & Skill | 15 marks |
| 3. | Ex-Servicemen | 03 marks |
| 4. | Woman Entrepreneur | 03 marks |



- | | | |
|----|---|------------------|
| 5. | <i>Un-employed Engineering/
Graduate/Polytechnic/ITI
Trained candidates</i> | <i>03 marks</i> |
| 6. | <i>Oustees of that Sector</i> | <i>03 marks</i> |
| 7. | <i>Expansion/shifting of
Existing Units</i> | <i>03 marks</i> |
| 8. | <i>Viva Voce</i> | <i>25 marks.</i> |

Similar criteria came up for consideration by this Court in CWP No.9079 of 2013 titled Jai Narayan Jakhar v. Haryana Urban Development Authority and others, decided on 25.08.2014, wherein it was observed as under:-

“Even after the directions of this Court, the criteria framed, as part of post decisional hearing, is to give 10 marks for the financial capability and 15 marks for product capability skills but in respect of each of the preferential categories, 3 marks have been assigned. An Ex-Serviceman may not be a Woman Entrepreneur or Unemployed Engineering Graduate/ Polytechnic/ ITI trained candidate. One can understand if 3 marks are given in alternative but giving 3 marks for each category shows total non-application of mind while fixing criteria for allotment of plots.”

The criteria was thus set aside and the allotment of plots was quashed also for the reason that the advertised plot was much less than the number of plots allotted.

Admittedly appeals against the said order has been preferred such as Special Leave Petition (C) Nos.24995-24996 of 2014 titled Sanjiv Gaur and others v. Col. Hari Singh and others wherein the Hon’ble Supreme Court has stayed the order of this Court so far it relates to the petitioners therein.

In another matter in CWP No.5075 of 2010 titled Mulakh Raj Dhamija and others v. State of Haryana and others, wherein the challenge was to allotment of industrial plots at Rohtak, this court passed an order on 27.03.2015, constituting a Committee to assess the financial viability and technical feasibility, the twin test made public in the advertisement under consideration. The Court passed an order to direct the Committee constituted to submit its report within 4 months.

Before this Court, learned counsel for the parties agree that the eligibility of the candidates needs to be re-assessed and the same can be re-assessed by the same abovesaid Committee who may prepare a objective, transparent and fair criteria to assess the suitability of each of the applicants on the basis of documents filed along with their respective applications. Such process would give liberty to the parties to be dealt with fairly in the matter of allotment of plots.



In view of the consent of the parties; the following order is passed in the light of directions given in Mulakh Raj Dhamija's case (supra) :

1. *We deem it appropriate to constitute a Committee to assess the financial viability and technical feasibility of each of the applicants, who appeared before the earlier selection committee. The Committee shall consist of (i) Shri Vijay Vardhan, IAS, Additional Chief Secretary to Government of Haryana; (ii) Dr. Mahavir Singh, IAS, Principal Secretary to Government of Haryana; & (iii) Shri Ashwini Kumar, Additional Director of Industries, Haryana. The said Committee shall prepare an objective, transparent and fair criteria to assess the suitability of each of the applicants for the plots on the basis of the documents filed alongwith their respective applications. If more applicants than the plots available are found suitable, the Committee shall hold draw for allotment of plots before making recommendations to this Court. If any previously successful candidate is found suitable, the Committee shall make an endeavour to recommend the allotment of the same plot so as maintain the allotment of plot allotted.*

2. *The said Committee shall make an attempt to submit report within four months to this Court for further necessary action. It shall be open to the Committee to seek any clarification or direction required to give effect to the orders passed.*

3. *However, till further orders, none of the successful allottees shall sell, create third party interest in any manner or create any encumbrance over the plots allotted except to carry out their normal business activities. Wherever, the allottees, who have not started construction, are restrained from raising construction but where the construction is in progress, the same shall be completed subject to the decision of the writ petitions.*

4. *These interim measures are subject to the final decision of the writ petitions without creating any equity or any right in favour of any person.*

List on 16.11.2015."

9. It transpires that the Committee constituted by this Court examined the claim of all persons and submitted its report to the Court on 11.01.2018. In this report of the Committee, Dharambir Nehra, was not found suitable for



allotment. The applicant-respondent was, however, found suitable for allotment, but no plot was specified to him. The report of the Committee was considered, and ultimately the Division Bench of this Court, vide order dated 16.02.2018, held the writ petition to have been rendered infructuous by observing as under:-

“Pursuant thereto the report has been received. We, therefore, feel that since the aforesaid directions have been complied with, the instant writ petitions have been rendered infructuous and the same are disposed of as such with liberty to the persons who are aggrieved of the findings of the report to take recourse to their remedies in law.

Needless to say that as long as report subsists persons who have been selected would necessarily get the benefit of the allotment.”

10. It is for the disobedience of the aforesaid order dated 16.02.2018 that the contempt petition has been filed and various orders have been passed, which are challenged in this appeal.

11. Before we proceed further, it would be worth noticing that the report of the Committee dated 11.01.2018 has been subjected to challenge in a series of writ petitions filed by various persons, including Dharambir Nehra, which are pending. Since, the available plots were less than the persons selected for allotment of plot, therefore, the appellants conducted a draw of lots for allotment of plots. In the draw of lots, plot No.251 has now been allotted to the applicant-respondent.

12. The contempt petition has been filed primarily raising the grievance that once the Writ Court on 14.05.2015 had directed the Committee to make an endeavour to recommend the allotment of the same plot, then it was not open for the applicant-respondent to have allotted any plot other than Plot No.64. Interestingly, the contempt proceedings have been initiated against the appellant, who happens to be the Chief Administrator, HSVP, Panchkula even though no



direction was issued to him and the observations made were to be complied by the Committee only.

13. In the contempt petition, successive orders have been passed by the learned Contempt Court. The order which is challenged before us, is the order dated 25.04.2025 wherein the Contempt Court has observed as under:-

“[9]. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner No.1 as at this stage primarily the case of only petitioner No.1 was addressed by the respective counsels.

[10]. Once in the interim order dated 14.05.2015 passed by the Writ Court in CWP No.15780 of 2013, it was specifically and categorically observed that the “Vardhan Committee” was to make endeavour to recommend the allotment of same plot to the previous successful candidates so as to maintain the allotment of plot allotted, there was no valid or justified reason for the respondent to have insisted for allotment of any other plot in favour of petitioner No.1 except plot No.64 in Sector 26, Bhiwani, whereupon the petitioner No.1 already had invested substantially having raised boundary wall besides an additional construction as well over an area around 156’ x 16’. Importantly, Sh. Dharambir Nehra, was neither even found successful by “Vardhan Committee” nor even possession was ever handed over to him; moreso, in terms of allotment on 26.06.2013 not even a single penny was ever invested by Sh. Dharambir Nehra over the plot in question for raising any construction etc.

[11]. On the contrary, in order to defeat the right of petitioner No.1 under the order passed in 2nd Writ and virtually to make it ineffective and nugatory even a plea was now been set up in the counter affidavit dated 24.02.2025 that he does not fall under the category of previously successful allottee as his allotment stood cancelled and thus, was to be made fresh allotment through draw of lots. The said para no.12 reads as under:-

“12 That it is germane to mention here that the petitioner no.1 was not falling under the category of “previously successful” as mentioned in the order dated 14.05.2015 as the plot no.64 was cancelled qua petitioner no.1 on 13.06.2013 after he was found ineligible in the interview held on 06.06.2013. In fact, it was further allotted to one Dharambir Nehra on 26.06.2013. The petitioner no.1 did neither have any legal right over the said plot nor he was in the “previously



successful” category following the cancellation on 13.06.2013. The plots were to be allotted by the draw of lots as per order dated 14.05.2015 in case the number of applicants was more than the number of plots. Also, in the report of the Committee dated 11.01.2018, no plot number is allotted in front of the name of the petitioners.”

The aforesaid contention of not treating petitioner No.1 as the previously successful allottee in terms of cancellation dated 13.06.2013 is wholly misplaced for two reasons; firstly petitioner No.1 happened to be the original allottee, who was offered possession of plot No.64, Sector 26, Bhiwani in March, 2008 and even raised construction over the same. Secondly the subject matter of CWP No.15780 of 2013 itself was challenge to the cancellation of allotment dated 13.06.2013 besides, impugning the fresh allotment dated 26.06.2013 made in favour of Sh. Dharambir Nehra . Further more, any such interpretation to the order as expressed in the affidavit would make its effect otios especially when Sh. Dharambir Nehra was not even found eligible as per merit, thus plot No.64 was undisputedly/undoubtedly required to be restored to petitioner No.1 without insisting for fresh draw of lots for him. Importantly, even as per report of “Vardhan Committee” it was never said that the allotment to petitioner No.1 was to be made by draw of lot as infact it was only recorded that “plot number is to be allotted”. More Importantly, vide order dated 14.05.2015, the Hon’ble Division Bench of this Court allowed each and every individual, who appeared before the earlier Selection Committee to appear before the “Vardhan Committee” meaning thereby the process of cancellation of allotment to petitioner and the re-allotment to Sh. Dharambir Nehra was ignored and never acknowledged or approved by Hon’ble Division Bench of this Court which was never assailed either by the State or the HSVP or even by Sh. Dharambir Nehra. Admittedly so far, report dated 11.01.2018 though under challenge has neither been stayed nor set-aside by any Court of Law. As such petitioner No.1 definitely is entitled for benefits arising from the report which needs to be read in conjunction with the order dated 14.05.2015 where under it was conceived and generated.

[12]. Besides it, there is no merit in the contention raised on behalf of the respondent that the allotment of petitioner No.1 stood cancelled on 13.06.2013 and he was, thus not entitled for restoration of the same plot as he did not deposit the complete payment nor even got the site plan sanctioned and even failed to complete the construction. In this regard, in the humble opinion of this Court, once the allotment made in favour of petitioner No.1 regarding the plot in question i.e. Plot No.64 remained under cloud since inception, on account of



filing of CWP No.2677 of 2008 mere fact that petitioner No.1 failed to deposit balance installment beyond 25% already paid by him or even failed to complete the construction, could never become fatal to his cause and definitely being conscious of this fact, the respondent never even issued any show cause notice to petitioner No.1, calling upon him to pay the balance amount or to complete the construction, nor the respondent ever cancelled the allotment made in favour of petitioner No.1 for the aforesaid two reasons and as such respondent was, thus estopped from raising any such plea at this stage.

[13]. Furthermore, the following contents from para no.15 of affidavit dated 24.02.2025 are even in direct conflict with the course of justice:-

“xxx xxx xxx. However, as a matter of fact, allotment of plot No.64 in favour of Sh. Dharambir Nehra has not been cancelled till date due to pendency of litigation. Therefore, allotment of plot of ½ acre category was made to all successful applicants recommended by the committee of Sh. Vijay Vardhan through draw of lots in light of the order dated 14.05.2015 passed in CWP No.15688 of 2013.”

Once Sh. Dharambir Nehra not found eligible by the “Vardhan Committee” and Writ Petition was disposed of in terms of committee report and, there was no stay on the said committee report, not cancelling and retaining the allotment of Sh. Dharambir Nehra was in direct conflict with the decision of Writ Court dated 16.02.2018. Surprisingly for this Court, if a plea was being raised against petitioner that he failed to deposit the entire price as such was not entitled for plot No.64, the same, thus even applied to Sh. Dharambir Nehra, who also deposited only 25% yet all efforts were being made to protect his allotment. Besides it, not cancelling the allotment of Sh. Dharambir Nehra, the only reason expressed was pendency of litigation wherein there was no stay granted in his favour.

[14]. As per affidavit dated 24.02.2025, plot No.251, Sector 26 Bhiwani has now been allotted to petitioner No.1, however, no reasonable justification has been expressed for allotting this plot and not allotting plot No.64 when already 12% construction thereupon stood raised by petitioner and it has not even been allotted or earmarked to anyone else and possession still is with petitioner No.1, having invested so much amount. In fact, it would be of no use for any other individual or fresh allottee and would amount to natural wastage. Moreover this allotment has been made only during pendency of the present contempt proceedings.

[15]. Malafide intent of respondent is writ large from the following contents of para no.20 of affidavit dated 24.02.2025 even. The same read as under:-

“20. That it is submitted that the cost of plot No.64, Sector 26, Bhiwani



of (1/2 acre category) in the year 2008 was @ Rs.770/- per sqm i.e. Rs.14,31,430/- whereas the allotment made to the petitioners in the year 2023 was @ Rs.11,300/- per sqm. i.e. Rs.2,21,46,644/-. However, current collector rate (FY-2024-25) of said plot comes to Rs.20,903/- per sqm. i.e. Rs.3,88,58,677/- approx. It is most respectfully submitted that the issue related to charging of rate of allotment of plot was never raised by the petitioners in any of the CWP's and was not adjudicated upon by the Hon'ble Division Bench."

By shifting petitioner No.1 from plot No.64 to plot No.251, the respondent only want to burden him with the current allotment price of 2023, instead of 2008 which again amounts to denial of rights vested in petitioner No.1 as a result of "Vardhan Committee" and the Writ Court order dated 16.02.2018.

[16]. A conjoint reading of orders dated 14.05.2015 and 16.02.2018 makes it clear that the allotment was to be made by the HSVP Authorities particularly in terms of the intent of the two said orders and based upon the recommendations made by the "Vardhan Committee" in its report dated 11.01.2018 wherein it was nowhere prescribed that petitioner No.1 was not entitled for the same plot which was originally allotted to him and was under his possession though he found his place in the merit position whereas Sh. Dharambir Nehra remained unsuccessful. In view of aforesaid discussion as well as upon hearing of the present incumbent respondent, who joined the proceedings through video-conferencing, it is apparent that a consorted effort was being made on behalf of respondent so as to cause interference towards implementation of order passed by the Writ Court, thus liable to be proceeded under the provisions of Section 12 of the Contempt of Courts Act. In fact the deliberate conduct and the obstructive behavior of respondent being aimed at frustrating the real intent of the relief granted by the Writ Court, amounts to circumventing and manipulating the course of proceedings thereby resulting into its defiance so as to make the order ineffective.

[17]. List on 01.05.2025.

[18]. Respondent-contemnor is directed to remain present in-person in Court on the date fixed so as to afford them an opportunity of hearing before proceeding further in the matter."

14. Learned Senior Counsel for the appellant contends that the impugned proceedings of contempt are wholly without jurisdiction inasmuch as



the writ Court had finally decided the writ petition on 16.02.2018, holding it to have become infructuous. It is urged that the direction issued in the writ petition on 14.05.2015 was to the Committee consisting of three officers and not to the appellant. It is then submitted that the observation contained in the order dated 14.05.2015 was only recommendatory in nature, as would be clear from the observations of the Court that if any previously successful candidate is found suitable, the Committee shall make endeavour to recommend the allotment of the same plot, which was allotted earlier. It is therefore argued that once the Committee had not recommended the allotment of plot No.64 in favour of the applicant-respondent, no occasion arose for initiating contempt proceedings against at the applicant-appellant. It is urged that the contempt Court could not have entertained the contempt petition against the appellant nor could it have embarked upon an exercise not warranted in contempt jurisdiction.

15. It is further argued that even if learned Single Judge was to exercise writ jurisdiction, yet he could not have passed the impugned order, inasmuch as the jurisdiction to deal with such matters in the writ jurisdiction was not available with the learned Single Judge. It is also submitted that the contempt proceedings could only be initiated in a case where the disobedience is shown to be deliberate and intentional, and a claim which is in the nature of a potential claim could not have been entertained in contempt proceedings so as to adjudicate it or to create further rights.

16. The submissions on behalf of the appellant are opposed by learned Senior Counsel representing the applicant-respondent on the ground that the observations made by the Court in the order dated 14.05.2015 was peremptory in nature and had to be complied with. It is further submitted that while holding the



writ petition to have rendered infructuous, an observation was made by the Division Bench stating that as long as report subsists, persons who have been selected would necessarily get the benefit of allotment. This observation, according to the counsel for the applicant-respondent, resurrected and revived the report made earlier in favour of the applicant-respondent for allotment of plot No.64, and the Contempt Court has therefore rightly passed the order under challenge.

17. We have heard Mr. Ankur Mittal, Senior Advocate, assisted by Ms. Kushaldeep Kaur, Advocate, Mr. Shivendra Swaroop, Advocate, Ms. Ashna Singh, Advocate, Ms. Sharvi Dadhwal, Advocate appearing for the appellant, and Mr. Ashwani Kumar Chopra, Senior Advocate assisted by Mr. Brahmjot Singh Nahar, Advocate appearing for the applicant-respondent, and have perused the material available on record.

18. The facts as have been noticed above are not in dispute. So far as allotment in favour of applicant-respondent of plot No.64, Sector 26, Bhiwani is concerned, the same was ultimately quashed by the Division Bench of this Court in Writ Petition No.2677 of 2008 on 12.11.2009. The said judgment has attained finality. The right of the applicant-respondent over plot No.64, therefore has ceased to exist.

19. So far as consequential action based upon the directions issued in the judgment dated 12.11.2009 is concerned, the HSVP has published fresh results on 13.06.2013 in which the respondent-applicant was not selected for allotment. The plot was instead allotted to Dharambir Nehra. This decision of the HSVP in not selecting the applicant-respondent for allotment and allotting the plot to Dharambir Nehra was the subject matter of challenge in four writ

petitions, one of which was filed by the respondent-applicant, bearing No.CWP-15780-2013, wherein an order of status quo was initially passed. The Division Bench ultimately thought it proper to constitute a Committee consisting of three senior officers, so that an objective, transparent and fair criteria is evolved to assess the suitability of each of the applicants on the basis of documents filed along with their respective applications. This Committee has submitted its report on 11.01.2018, which is on record as Annexure P-2. In this report, Dharambir Nehra has not been found eligible for allotment. The respondent-applicant has been found eligible for allotment, but no specific plot number has been allotted to him.

20. Interestingly, the Committee in respect of various persons shortlisted for allotment, protected the allotment awarded made earlier to them. Items No. 13 and 14 of the report evidencing such facts are extracted hereinafter:-

13.	311	R.K. Sachdeva, 243 Vikas Nagar, Bhiwani	72		Plot number is to be allotted.
14.	149	Rani, 334, Jagat Colony, Bhiwani	70		Already allotted plot is to be considered for allotment.

21. Although, on behalf of respondents, much emphasis has been laid upon the interim order of the Court dated 14.05.2015, whereby the Committee was constituted and directions were issued for appropriate consideration, but we find that those directions were not peremptory in nature. The Court clearly observed that *“if any previously successful candidate is found suitable, the Committee shall make an endeavour to recommend the allotment of the same plot so as to maintain the allotment of the plot allotted”*.

22. The above expression clearly indicates that the Court’s observation were recommendatory in nature and had to be complied with by the Committee



constituted by the Court. The above observation cannot be construed as laying down an irreversible policy of restoring the plot which was earlier allotted to a candidate. It is also to be noticed that the order dated 14.05.2015 was otherwise subject to clause 4, as per which these observations were in the nature of interim measures and were subject to final decision of the writ petition without creating any equity or any right in favour of any person. Clause 4 of the Court's Order, made it abundantly clear that the recommendations made to the Committee were in the nature of interim measures and were subject to final decision without creating any right in favour of any person.

23. The last portion of the order observing that as long as report subsists, persons who have been selected would necessarily get the benefit of allotment, has also to be understood in correct perspective. The observation of the Division Bench was only to the extent that the persons who were selected for allotment, would necessarily get the benefit of allotment. This part of the order does not say that the allotment would be of the very plot which was made earlier. The argument raised on behalf of the respondent-applicant that the aforesaid observation created right in favour of the respondent-applicant for allotment of same plot, is therefore bereft of merit and is rejected.

24. What is to be seen and highlighted is that the Committee constituted vide order dated 14.05.2015 submitted its report, which is on record as Annexure P-2. The Court was apparently satisfied with said report in which the respondent-applicant was not allotted any specific plot. The report of the Committee was not only accepted, but in terms of such report, the writ petition was rendered infructuous. There was, thus, no binding direction left to be complied with, in the writ proceedings.



25. What is surprising is that despite the writ petition having been rendered infructuous, not only the contempt petition was entertained but successive orders have been passed. The orders passed by the Contempt Court proceed on the assumption that the writ Court made it obligatory for HSVP to allot only that plot which was earlier allotted to the applicant-respondent. We have already noticed that no such direction was issued by the writ Court. We also find that the observations contained in the order dated 14.05.2015 were to the Committee and not to the Administrator of the authority against whom contempt proceedings are initiated. The writ Court was satisfied with the report of three-member Committee in which no specific plot was allotted to the respondent. Even the earlier allotment in favour of respondent stood quashed in CWP-2677-2008 and therefore, no equity arose for allotment of same plot. Only 25% of the cost of plot was deposited before cancellation of allotment.

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

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

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

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

FEBRUARY 03, 2026
mohit goyal

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