



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

COCP-1921-2023

Date of Decision: 01.04.2026

BHAVIN CHAUDHARY

.....Petitioner

Vs.

SAHIL KUMAR CHAUDHARYn.;

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. P.S. Paul, Advocate for
Mr. Arvind Pratap, Advocate
for the petitioner.

Ms. Mehak Sharma, Advocate
for the respondent.

SUDEEPTI SHARMA J.

1. The present contempt petition has been filed for deliberate and intentional disobedience of order dated 23.03.2023 passed by this Court in CR-3033-2019. Relevant portion of the same is reproduced as under:-

“At this stage, learned counsel for the wife-mother states that the petitioner-husband-father has not cleared arrears on account of maintenance @ Rs.20,000/- per month awarded to the minor child. Learned counsel for the petitioner-husband-father on the other hand states that the petitioner has paid maintenance awarded to the minor child regularly and undertakes that in case there is any outstanding amount, the same would be cleared within two months from today. The statement of learned counsel for the petitioner-husband-father is taken on record and the petitioner-husband-father directed to clear the arrears if any within two months from today. Needless to mention, in case arrears of maintenance @ Rs.20,000/- per month as awarded to the minor child



are not cleared within two months from today, the minor through his mother would be at liberty to take out appropriate proceedings, in accordance with law for seeking action for recovery of the same as also for violation of the orders of the learned Addl. District Judge, SAS Nagar, dated 21.01.2019 as upheld by this Court besides for breach of undertaking made before this Court.”

2. Learned counsel for respondent contends that in compliance of order dated 23.03.2023, affidavit of respondent dated 25.02.2026, has been filed. The same is taken on the record. A copy thereof has been supplied to learned counsel for the petitioner.

3. A perusal of affidavit shows that petitioner herself is not accepting the amount of maintenance. The present contempt petition was filed in the year 2023, whereas the respondent is trying to comply with the order since the passing of order of learned Addl. District Judge, SAS Nagar, dated 21.01.2019. A perusal of para 7, as reproduced above, also shows that respondent submitted that he has already paid the maintenance awarded to the minor child.

4. The petitioner could not establish any willful, deliberate disobedience on the part of the respondent. Despite having due knowledge of the legal position, the petitioner chose to file present contempt proceedings and continued to pursue the same without any justifiable or tenable grounds of law. Such conduct amounts to gross abuse of the process of law and unnecessarily adds to the burgeoning pendency of cases before this Court.



5. Similar matter has already been dealt with by this Court in **COC-3579-2025** decided on 24.07.2025 titled as “**Payal Chaudhary V/s KAP Sinha IAS and others**”, while placing reliance on the judgments passed by Hon’ble Supreme Court in case titled as “**Dalip Singh V/s State of Uttar Pradesh and others (2010) 2 SCC 114, Subrata Roy Sahara V/s Union of India (2014) 8 SCC 470 and K.C. Tharakan V/s State Bank of India & Ors. passed in Writ Petition (Civil) Diary No(s).27458/2022**”. The relevant paragraphs of **Payal Chaudhary (supra)** are reproduced as under:-

“9. It is evident that the petitioner has engaged in what can only be described as a frivolous and vexatious litigation spree, seemingly driven by a misplaced sense of grievance. Such conduct constitutes a gross abuse of the judicial process and contributes significantly to the burgeoning pendency of cases before this Court. The tendency of litigants to misuse the judicial forum by engaging in forum shopping, filing repetitive and meritless petitions, and adopting dilatory tactics undermines the very foundation of our legal system and clogs the administration of justice.

10. The Hon’ble Supreme Court, in **Dalip Singh Vs. State of Uttar Pradesh and others (2010) 2 SCC 114**, has cautioned against this emerging category of unscrupulous litigants who, devoid of respect for truth, resort to falsehood and unethical practices in their pursuit of relief. The Supreme Court emphatically held that such litigants, who seek to pollute the stream of justice or who dare to touch the fountain of justice with unclean hands, are not entitled to any relief, interim or final. Relevant extracts of the same is reproduce as under:-



“In the last 40 years, a new creed of litigants has cropped up. Those who belong to this creed do not have any respect for truth. They shamelessly resort to falsehood and unethical means for achieving their goals. Courts have evolved new principles to curb such abuse, and it is now well established that a litigant who attempts to pollute the stream of justice or touches the pure fountain of justice with tainted hands is not entitled to any relief, interim or final.”

11. *The petitioner’s conduct in instituting frivolous litigation has resulted in a gross misuse of the judicial process, thereby squandering the valuable time and resources of this Court. It is imperative, in the interest of justice, that bona fide and timely claims are adjudicated expeditiously, without being impeded by vexatious and unscrupulous litigation. At this juncture, reference may be made to the pertinent observations of the Hon’ble Supreme Court in **Subrata Roy Sahara v. Union of India (2014) 8 SCC 470**, wherein the Court lamented the pervasive malaise of frivolous litigation afflicting the Indian judicial system. The Hon’ble Apex Court observed as under:-*

“The Indian judicial system is grossly afflicted with frivolous litigation. Ways and means need to be evolved, to deter litigants from their compulsive obsession towards senseless and illconsidered claims. One needs to keep in mind, that in the process of litigation, there is an innocent sufferer on the other side of every irresponsible and senseless claim. He suffers long drawn anxious periods of nervousness and restlessness, whilst the litigation is pending, without any fault on his part.”

12. *The Hon’ble Supreme Court has consistently emphasized the need to deter frivolous appeals and petitions by imposing exemplary costs on the litigating parties. In Writ Petition (Civil) Diary No(s). 27458/2022 titled as **K.C. Tharakan v. State Bank of India & Ors.***



decided on 01.05.2023, the Hon'ble Apex Court held as follows:

“No legal system can permit a situation wherein a party repeatedly agitates the same issue after it has been conclusively adjudicated by the highest judicial forum. Such conduct amounts to a gross misuse of the judicial process and results in a significant waste of valuable judicial time. Accordingly, the present writ petition is dismissed with costs. However, taking into consideration that the petitioner is a dismissed employee, we deem it appropriate to impose a nominal cost. The writ petition is, therefore, dismissed with costs quantified at ₹10,000/-, to be deposited with the Supreme Court Advocates-on-Record Welfare Fund, to be utilized for the benefit of the SCBA Library.”

6. In view of the above referred to judgments, this Court is firmly of the opinion that the instant petition constitutes a glaring instance of misuse of the judicial process. It is, therefore, incumbent upon this Court to safeguard the sanctity of judicial proceedings and to prevent their exploitation by unscrupulous litigants. The time and resources of this Court are limited and must be reserved for *bona fide* grievances that merit judicial consideration.

7. The aforesaid judgments clearly emphasize that frivolous and vexatious litigation must be curbed with a firm hand. The repeated filing of meritless petitions not only results in wastage of precious judicial time but also causes unnecessary harassment to public officials, who are constrained to defend themselves despite having acted in accordance with law.

8. Accordingly, with a view to send a strong deterrent message and to preserve the sanctity of judicial proceedings, this Court deems it appropriate to impose costs of Rs.50,000/- upon the petitioner.



9. Consequently, the present contempt petition is **dismissed** with costs of ₹50,000/- (₹ Fifty Thousand Only), to be paid to the respondent in his account. Respondent is directed to provide his bank account details to the petitioner.

10. In the event of default in compliance, the amount shall be recovered from the petitioner as arrears of land revenue by the competent authority.

11. Pending miscellaneous applications, if any, are also disposed of.

01.04.2026

P. Seth

(SUDEEPTI SHARMA)
JUDGE

Whether speaking/non-speaking : Yes/No

Whether reportable : Yes/No