



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

**CWP-19695-2025 (O&M)
Date of Decision: 18.05.2026**

MKC Infrastructure Limited and Others

...Petitioners

Versus

State of Punjab and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Manish Verma, Advocate
for the petitioners.

Mr. Arun Jindal, Addl. A.G., Punjab.

Mr. Ramesh Sharma, Advocate
for respondent No.3.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking setting aside of order dated 01.07.2025 (Annexure P-6) passed by respondent No.2-Punjab State Commission for Schedule Caste.

2. Reply on behalf of respondent No.3 has been filed in the Court today, which is taken on record. The Registry is directed to tag the same at an appropriate place.

3. Learned counsel representing the petitioners submits that petitioner-company assigned work order dated 11.10.2023 to M/s Paul Contractor whose owner is Mr. Davinder Ram S/o Sh. Puran Chand. The aforesaid person had to execute earth work on the Delhi Amritsar Katra Expressway. The petitioner moved a complaint to Station House Officer,

Ludhiana against respondent No.3 and his brother. In retaliation, he filed a complaint before Punjab State Scheduled Caste Commission (for short 'Commission'). The Commission has issued multiple directions with respect to contract between the parties. The Commission has no jurisdiction to examine commercial matters and issue directions to one contracting party. There is no violation of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 or rights conferred upon members of Schedule Caste Community by any law in force.

4. Learned counsel representing respondent No.3 submits that Commission has acted as per provisions of Section 10 of Punjab State Commission for Scheduled Castes Act, 2004. The Commission has not travelled beyond its jurisdiction.

5. Learned State counsel submits that instructions issued by Commission are advisory.

6. Heard the arguments and perused the record.

7. From the perusal of record, it is evident that by impugned order, Commission has neither issued advisory nor recommended any action to any Authority. The impugned order is in the form of order of a judicial or quasi-judicial authority. The Commission has ordered that machine should be sent to company to ascertain its condition. The company should immediately clear outstanding dues. There is further direction to submit record regarding Rs.24,00,000/- at the Commission's office. The dispute between the parties is a purely commercial/civil dispute. The parties had entered into a contract whereunder rights and liabilities have arisen. The Commission has acted beyond its jurisdiction and passed impugned order.

8. In the backdrop, this Court is of the considered opinion that petition deserves to be allowed and accordingly allowed. Order dated 01.07.2025 is hereby set aside.
9. Pending application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

18.05.2026
Prince Chawla

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No