



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

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**CM-4468-LPA-2023 in/and
LPA-1781-2023 (O&M)
Date of Decision: 22.01.2026**

Navin Kumar and others**....Appellants****Versus****B.R.Saini and another****....Respondents**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Vikas Chatrath, Senior Advocate with
Ms. Priya Kaushik, Advocate
for the appellants.

Mr. Deepak Singh Saini, Advocate
for respondent No.1.

Harsimran Singh Sethi, J. (Oral)

CM-4468-LPA-2023

This is an application under Section 5 of the Limitation Act for
condonation of delay of 60 days in filing the appeal.

Keeping in view the facts mentioned in the application, the same
is allowed and the delay of 60 days in filing the appeal is condoned.

LPA-1781-2023 (O&M)

1. In the present appeal, the challenge is to the order dated
02.08.2023 passed in COCP-1554-2022 by the learned Single Judge by which,
a sum of Rs.5,00,000/- has been imposed as cost.

2. The Learned Senior Counsel appearing on behalf of the

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appellants submits that once, the punishment which can be imposed under the Contempt of Courts Act has been prescribed under a statute, no punishment beyond the same can be awarded even if same is termed as “cost”. The Learned Senior Counsel further submits that the benefit granted to respondent No.1 by the learned Single Judge, which has been upheld up to the Hon’ble Supreme Court of India with regard to the release of his pensionary benefits along with interest, has already been complied with. Therefore, the imposition of costs by way of compensation on the ground of delay, while exercising jurisdiction under the Contempt of Courts Act was not permissible, and the learned Single Judge exceeded jurisdiction while passing such order.

3. The learned counsel for respondent No.1, on instructions from respondent No.1, submits at the outset that the cost was granted only to compensate respondent No.1 for the delay in making payments, but in case such cost was not permissible to be granted in contempt proceedings, the respondent No.1 is not pressing for the same. However, liberty is sought to file an appropriate application either before the Writ Court or before the LPA Bench seeking grant of cost, in view of delay in grant of the benefit keeping in view the facts and circumstances of the present case, wherein respondent No.1 has suffered not only humiliation but harassment as well.

4. The Learned Senior Counsel for the appellants submits that since respondent No.1 has stated before this Court that an amount of Rs.5,00,000/- imposed as cost will not be executed and liberty has been sought to approach the Writ Court or the LPA Bench, no further grievance of the appellants survives qua the imposition of Rs.5,00,000/- as cost in the contempt proceedings.



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- 5. By keeping the question of law open, the present appeal is disposed of having not been pressed any further.
- 6. Pending applications, if any, also stand disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

January 22, 2026
Varinder

(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No