

COCP-6083-2025

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247

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

COCP-6083-2025

Date of decision: 28.01.2026

HARBANS SINGH**..Petitioner****Versus****KULDEEP SINGH AND ANR.****..Respondents****CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. J.S. Mahal, Advocate
for the petitioner.

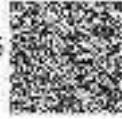
Mr. Maninder Singh Garcha, Sr. Advocate with
Mr. Pardeep Sharma, Advocate and
Ms. Priyanka Malik, Advocate
for the respondents.

SUDEEPTI SHARMA, J. (Oral)

1. The contempt petition has been filed for deliberate and intentional disobedience of order dated 20.03.2025 passed in CWP-7619-2025, whereby, this Court passed the following order:-

“1. Through the instant writ petition filed under Article 226/227 of the Constitution of India, a prayer is made for issuance of a mandamus upon the respondents, to remove the electricity wires running over the house of the present petitioner.

2. A perusal of the instant petition reflects that, in fact it is a misconceived motion, inasmuch as, despite the petitioner being seized of an alternate and efficacious statutory remedy for redressal of his grievance before the Consumer Grievances Redressal Forum concerned constituted by the distribution licensee, under the provisions of Electricity Act, yet he has sidetracked the said remedy and have straightway accessed this Court, through instituting the present petition.



3. Faced with the above difficulty, learned counsel for the petitioner seeks permission of this Court to withdraw the instant petition, with liberty to approach the Consumer Grievances Redressal Forum concerned, for redressal of his grievance.

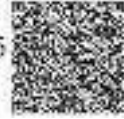
4. Dismissed as withdraw with the aforesaid liberty.

5. In case, the petitioner files an apt motion before the forum concerned, within 15 days from today, the latter concerned, shall make its all endeavours to decide the same within a period of 02 weeks thereafter, after giving an adequate opportunity to hearing to the petitioner.”

4. A perusal of the above shows that the writ petition was withdrawn by the petitioner with liberty to approach the Consumer Grievances Redressal Forum concerned, for redressal of his grievance. Still the petitioner has filed the present contempt petition against respondent No.1-Kuldeep Singh, Executive Engineer, PSPCL, Gurdaspur and respondent No.2-Bhupinder Singh Kaler, Sub Divisional Officer, PSPCL, City Sub Division, Gurdaspur i.e. against Punjab State Power Corporation Limited, Gurdaspur.

4. Knowingly, the petitioner has filed the present contempt petition, by impleading the respondents to whom no direction was issued by this Court. This amounts to gross abuse of the judicial process and contributes significantly to the burgeoning pendency of cases before this Court.

5. Similar matter has already been dealt with by this Court in **COCP-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**



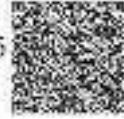
India (2014) 8 SCC 470 and K.C. Tharakan V/s State Bank of India & Ors. Passed in Writ Petition (Civil) Diary No(s).27458/2022". The relevant paragraphs of **Payal Chaudhary (supra)** are reproduced as under:-

"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. Accordingly, the present contempt petition is hereby dismissed with costs of Rs.10,000/- (Rupees Ten Thousand only). The said amount shall be paid to the respondents in equal share (i.e. Rs.5,000/- each) by the petitioner. Respondents are directed to provide their bank account details to the petitioner.

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

January 28th, 2026

Ayub/Saahil

(SUDEEPTI SHARMA)
JUDGE

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