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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-4308-2025

Date of decision: 26.08.2025

DARBARA SINGH (DECEASED) THROUGH HIS SON
GURDARSHAN SINGH

..Petitioner

Versus

ARVINDER PAL SINGH

..Respondent

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Munish Gulati, Advocate
for the petitioner.

SUDEEPTI SHARMA, J. (Oral)

1. The present contempt petition has been filed for deliberate and intentional disobedience of order dated 17.05.2013, passed by this Court in LPA-473-2009 arising out of CWP-641-1985.

2. The relevant portion of the order dated 17.05.2013 is reproduced as under:-

“In view of what has been stated hereinabove, we find no merit in the appeals and dismiss the same but with a direction to the Collector to make alternative allotment to the tenant(s), in case, surplus area or any other land, is available within the District concerned.”

3. The petitioner previously also filed contempt petition for disobedience of the same order, which was dismissed on 15.05.2019.

4. The order passed by this Court on 15.05.2019 in COCP-3806-2018, is reproduced as under:-

“This contempt petition has been filed for non-compliance of the order dated 17.05.2013 vide which a



Division Bench of this Court in LPA No. 447 of 2009 gave a direction to the Collector to make alternative allotment to the tenant(s) in case surplus area or any other and is available within the district concerned.

Short reply by way of affidavit of Dr.Amandeep Kaur PCS, Assistant Commissioner of State Tax, Amritsar-I formerly Sub Divisional Magistrate-cum-Assistant Collector 1st Grade, Tarn Taran has been filed on behalf of respondent No.1 in Court today and the same is taken on record. As per the said reply the order dated 17.05.2013 was never brought to the notice of the Collector who was required to make alternative allotment of land to the tenants. The argument of leaned counsel for the petitioner is that the Assistant Collector Grade I could not have dismissed his prayer for allotment of the alternative land and the said order dated 17.05.2013 was in the knowledge of the Assistant Collector Grade-I and he too was required to comply with the order, if not the Collector. The said argument does not help as the very application before the concerned authority i.e. the Assistant Collector was for restoration of possession and not a prayer for grant of alternative land.

Accordingly the contempt petition is dismissed.

Rule issued against the respondents stands discharged.

However, the petitioner is at liberty to approach the Collector concerned along with the orders of this Court for necessary compliance, of so desired.”

5. This clearly indicates that there has been no violation or disobedience of the order dated 17.05.2013 passed by this Court. Despite having due knowledge of the legal position, the petitioner proceeded to initiate the present contempt proceedings and continued to pursue the same



without any justifiable or tenable grounds of law, which is a gross abuse of the judicial process and contributes significantly to the burgeoning pendency of cases before this Court.

6. 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.”

7. 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.

8. As a sequel to above discussion, and with intention of conveying a strong deterrent message, this Court deems it just and proper to impose costs upon the petitioner.

9. Accordingly, the present contempt petition is dismissed with costs of Rs.5,000/- (Rupees Five Thousand only) for filing such kind of frivolous contempt. The said amount shall be deposited by the petitioner within a period of two weeks from the date of this order with the Punjab and Haryana High Court Employees Welfare Association, Account No.37167209613, IFSC Code: SBIN0050306, State Bank of India, High Court Branch, Chandigarh.

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.

August 26th, 2025

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

(SUDEEPTI SHARMA)
JUDGE