



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

Date of decision : 13.08.2025

1. COCP-4025-2025
REHANA BEGUM V/S RAJIV KUMAR MEHTA AND OTHERS
2. COCP-4026-2025
MOHAMMED SHARIF NAIK V/S RAJIV KUMAR MEHTA AND OTHERS
3. COCP-4027-2025
SHANAZ BAIGAM V/S RAJIV KUMAR MEHTA AND OTHERS
4. COCP-4030-2025
NAJMA PARVEEN V/S RAJIV KUMAR MEHTA AND OTHERS
5. COCP-4032-2025
KAILASH CHANDER V/S RAJIV KUMAR MEHTA AND OTHERS
6. COCP-4033-2025
RAMA TALWAR V/S RAJIV KUMAR MEHTA AND OTHERS
7. COCP-4035-2025
ABDUL GANI MIR V/S RAJIV KUMAR MEHTA AND OTHERS
8. COCP-4036-2025
MOHAMMED YUSUF V/S RAJIV KUMAR MEHTA AND OTHERS
9. COCP-4037-2025
MOHD. ADRISH SHEKH V/S RAJIV KUMAR MEHTA AND OTHERS
10. COCP-4039-2025
SUBHASH CHANDER V/S RAJIV KUMAR MEHTA AND OTHERS
11. COCP-4040-2025
MOHAMMAD ASHRAF V/S RAJIV KUMAR MEHTA AND OTHERS
12. COCP-4041-2025
RAM MEHAR SHARMA V/S RAJIV KUMAR MEHTA AND OTHERS
13. COCP-4045-2025
ABDUL SAMAD MIR V/S RAJIV KUMAR MEHTA AND OTHERS
14. COCP-4046-2025
MOHAMMAD AKRAM GANAI V/S RAJIV KUMAR MEHTA AND OTHERS
15. COCP-4047-2025
KHURSID SHEKH V/S RAJIV KUMAR MEHTA AND OTHERS
16. COCP-4053-2025
SALINDER KUMAR V/S RAJIV KUMAR MEHTA AND OTHERS
17. COCP-4054-2025
MOHAMMAD SADIQ V/S RAJIV KUMAR MEHTA AND OTHERS
18. COCP-4055-2025
RAJ ALI V/S RAJIV KUMAR MEHTA AND OTHERS
19. COCP-4056-2025
PAWAN KUMAR V/S RAJIV KUMAR MEHTA AND OTHERS



20. COCP-4059-2025
MOHAMAD SHAFIE V/S RAJIV KUMAR MEHTA AND OTHERS
21. COCP-4061-2025
ASHOK KUMAR SHARMA V/S RAJIV KUMAR MEHTA AND OTHERS
22. COCP-4062-2025
GULAM NABI V/S RAJIV KUMAR MEHTA AND OTHERS
23. COCP-4063-2025
BALWANT SINGH V/S RAJIV KUMAR MEHTA AND OTHERS
24. COCP-4070-2025
ABDUL MAZID V/S RAJIV KUMAR MEHTA AND OTHERS
25. COCP-4071-2025
VINAY V/S RAJIV KUMAR MEHTA AND OTHERS
26. COCP-4072-2025
BALWAN SINGH V/S RAJIV KUMAR MEHTA AND OTHERS
27. COCP-4073-2025
BASHIR AHMED V/S RAJIV KUMAR MEHTA AND OTHERS
28. COCP-4074-2025
BASHIR AHMAND V/S RAJIV KUMAR MEHTA AND OTHERS
29. COCP-4075-2025
REPHAKAT AHMAD V/S RAJIV KUMAR MEHTA AND OTHERS
30. COCP-4076-2025
GULAM MOHAMMAD V/S RAJIV KUMAR MEHTA AND OTHERS
31. COCP-4077-2025
MOHAMMAD RAFEEQ MALLA V/S RAJIV KUMAR MEHTA AND
OTHERS
32. COCP-4079-2025
MOHD. SHARIF V/S RAJIV KUMAR MEHTA AND OTHERS

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Ms. Savita Sisodia, Advocate for the petitioner(s).

Mr. Sumeet Jain, Addl. Standing Counsel, U.T., Chandigarh.

PANKAJ JAIN, J. (ORAL)

Present contempt petitions have been filed under Section 10 & 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India, alleging wilful and deliberate disobedience of the order dated 25.01.2010 passed by Writ Court in CWP No.1083 of 1987.



2. It has been brought to the notice of this Court by the counsel representing the respondents that the present petitioners have already invoked writ jurisdiction of this Court by way of CWP No.30639 of 2019 wherein the Court has already granted status *quo* w.r.t. possession. So much so, the said writ petition is pending before Division Bench of this Court and is fixed for today only.

3. Present petition(s) alleges disobedience of the order dated 25.01.2010. The contempt jurisdiction is being invoked after 15 years of the passing of the order.

4. On being repeatedly asked about the limitation, counsel for the petitioners has evaded the query.

5. From the records, it is discernible that the petitioners claim to be migrants from State of Jammu & Kashmir. They claim that they were allotted residential quarters in Police Lines. Proceedings were initiated in the year 1987 issuing them notices to vacate the premises. Petitioners challenged the action of Administration by way of CWP No.1083 of 1987. The writ petition was disposed off vide order dated January 25, 2010 observing as under:

“6. In any event, the impugned proceedings at the instance of the Labour Commissioner that all the persons would be forcibly evicted from the premises with the help of police is absolutely untenable in tenor employed against persons, who were permitted to occupy the premises. The Administration shall consider whether the persons, who are in occupation of the various residential units have been in occupation under any specific authority granted to them. The Administration shall also be competent to make



enquiries about the state of origin and the nature of the bona fides of their residential status. The Administration may also evolve a policy of accommodating any migrant labour and stipulate through a transparent decision making process of the class of persons that could require a economic and social support. A right to live would include a right to live with dignity and such a right should enure to all the persons, who have taken to this city as their place of domicile. No force shall be employed for vacating any of the petitioners but the decision to either continue them or relocate them or even evict them shall be through a legal process and under the authority of law by following the procedure for eviction, which the Administration is entitled to invoke. The Administration shall be at liberty to obtain suitable representations and require proof of such details as the Administration may require in their pronounced policy of how the migrants from Jammu and Kashmir could be settled. This order is made only to secure to the petitioners a right not to be evicted otherwise than in course of law. This order shall not be construed as conceding to any of the petitioners any vested right in the property. The nature of right that the Administration desires to grant them, shall be in the manner that the law would allow in respect of allotment of properties within the city of Chandigarh.

7. Reserving to the respondents-Chandigarh Administration such power, the claim of the petitioners is allowed to guarantee to them the right to live in the respective property till evicted in the process known to law.”

6. Petitioners claim that respondents disobeyed the order wilfully by initiating eviction proceedings against petitioners in 2019 without framing rehabilitation policy. Counsel wants to read order dated January 25, 2010 to the effect that mandate was issued to Administration to frame rehabilitation policy as a pre-requisite to evict petitioners.



7. The argument raised is misconceived. There is no such mandate as claimed. Direction was only to follow legal process. Counsel does not dispute that the petitioners have already invoked writ jurisdiction of this Court in which their possession has been protected.

8. That apart, eviction proceedings were initiated in 2019. Present contempt petitions have been filed in 2025.

9. Keeping in view the mandate of Section 20 of the Contempt of Courts Act, this Court finds that the present contempt petitions seeking action against the respondents for having wilfully disobeying the order dated 25.01.2010 are also hopelessly barred by time apart from being without merit. Resultantly, the same are dismissed.

10. A copy of this order be kept on the files of other connected cases.

August 13, 2025

Dpr

**(Pankaj Jain)
Judge**

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