



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

105

COCP-3821-2025

Date of decision : 04.08.2025

Parveen Kumar and others**..... Petitioners****versus****Balwinder Kaur and others****..... Respondents****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Aditya Dassaur, Advocate
for the appellant.

Ms. Samsisha Kaur, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. The petitioners allege willful disobedience of the judgment dated 18.01.2025 (Annexure P-1), wherein number of resolutions passed by Municipal Committee, Nawanshahar including the one dated 28.08.2023 stands annulled observing as under:-

“21. For all the above stated reasons, this Court finds merit in the instant petition, and, is constrained to allow it. Consequently, the instant petition is allowed. The impugned annexures are quashed and set aside. Moreover, a mandamus is made upon the respondent concerned, to forthwith ensure the convening of the meetings of the Municipal Committee concerned, thus initially for conducting elections to the office of the Vice President, so that subsequently the said validly elected Vice President of the Municipal Committee can in terms of sub-Section (2) of Section 25 of the Act of 1911, thus convene the apposite meeting. However, if the Vice President is unable to convene the meeting, therebys in terms of sub-Section (3) of Section 25 of the Act of 1911, the members who sign the requisition, may convene the meeting, so that thereins transaction of business of the Municipal Committee becomes validly done, besides also to ensure that the said transacted business does not become vitiated.”



2. After passing of the judgment passed by this Court in a fresh meeting held on 25.04.2025, the aforesaid proceedings i.e. resolution No.117 dated 28.08.2023 has been unanimously readopted. Counsel claims that keeping in view that the resolution itself was quashed by Division Bench judgment, the same could not have been adopted subsequently in a meeting dated 15.04.2025 and adoption thereof amounts to contempt of Court, as it amounts to willful disobedience of the orders passed by the Division Bench. The contention raised is misconceived. The resolution No.117 dated 28.08.2023 was quashed on the ground that the Vice President was the only competent authority to convene the meeting and in absence of such convention at his behest, the meeting was bad and the resolution was accordingly quashed.

3. In the considered opinion of this Court, subsequently in a valid meeting convened which admittedly is not subject matter of challenge, there is no bar in adopting the resolution which was earlier quashed on a technical ground.

4. The contention raised is too far fetched. In a validly convened meeting resolution having been validity adopted, no fault can be found much less the deliberate disobedience of the judgment passed by this Court.

5. Finding no merits in the present petition, the same is ordered to be dismissed.

(PANKAJ JAIN)
JUDGE

04.08.2025

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Whether speaking/reasoned :

Yes

Whether Reportable :

No