



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

COCP-423-2025 (O&M)

Date of decision : 06.08.2025

N.R. GARG

...Petitioner

Versus

ANURAG RASTOGI, IAS AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Gunjan Mehta, Advocate for the petitioner.

Mr. Rajiv Malhotra, DAG, Haryana.

PANKAJ JAIN, J. (ORAL)

By way of present contempt petition, petitioner alleges intentional disobedience by the respondents to the judgment/order dated 11.03.2019 (Annexure P-7) and the order dated 05.03.2011 (Annexure P-2) passed in Execution Petition No.73 of 2003 by Civil Judge (Senior Division), Bhiwani.

2. In sum and substance, the case of the petitioner is that civil suit filed by him was decreed by Civil Judge (Sr. Division), Bhiwani on 09.02.1998. The said judgment and decree was upheld by Supreme Court. Even in execution, the State filed objection petition which was dismissed by the Executing Court vide order dated 22.09.2004, which was upheld in Civil Revision No.5520 of 2003 vide order dated 14.10.2009. In compliance of the judgment and decree, order dated 02.04.2012 was passed whereby the petitioner was placed in pay-scale of Rs.13500-17250/-. The said order was found to be passed in accordance with law by the Commissioner and

Secretary to Govt. of Haryana, Irrigation & W.R. Department, Chandigarh vide order dated 31.10.2023. However, in defiance of the decree passed by Civil Judge, which has been upheld up to Supreme Court and *dehors* the fact that the same stands complied with, now a show cause notice dated 27.11.2024 has been issued asking the petitioner as to why the said pay scale be not withdrawn.

3. Having heard counsel for the petitioner, this Court finds that the petitioner, in fact, is aggrieved of violation of judgment and decree passed by Civil Court. He has alternate remedies to seek revival of the execution petition or to respond to the show cause notice explaining the entire circumstances to the authority and, thereafter, impugn final decision, if the same goes against the petitioner.

4. The present contempt petition invoking Sections 10 & 12 of the Contempt of Courts Act, 1971 would not be maintainable in view of the fact that the decree itself is executable and admittedly, the execution petition was filed by the petitioner.

5. With the aforesaid liberty, the present contempt petition is dismissed.

August 06, 2025

Dpr

**(Pankaj Jain)
Judge**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No