



COCP-2199-2023 (O&M) [1]

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

**COCP No. 2199-2023 (O&M)
Date of Decision: 21.01.2025**

Kanchan and others

...Petitioners

VERSUS

**Rahul Yadav, Advocate, President of Bar Association, Pataudi
and another**

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Abhimanyu Singh, Advocate for the petitioners.
Mr. Ashish Yadav, Advocate for the respondents.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Sections 11 and 12 of the Contempt of Courts Act, 1971, prayer has been made for initiation of proceedings against the respondents on account of alleged willful non-compliance of order dated 02.06.2023 passed by this Court in CWP-12828-2023 and the same is reproduced hereunder:-

“Learned counsel for the petitioner contends that the petitioners were found eligible and entitled to allotment of chambers and were virtually successful. It is averted that the process of allotment of chambers was undertaken by the Lawyers Chambers Welfare Committee approved by the Building Committee of Punjab and Haryana High Court and the said Lawyers Chambers Welfare Committee is still in existence. However, notwithstanding that the question of eligibility and/or entitlement of an Advocate to the chamber was to be seen by the Lawyers Chambers Welfare Committee as per the approved eligibility criteria, the District Bar Association has taken resort to usurping the power of Lawyers Chambers Welfare Committee to hold

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that the petitioners are ineligible, even though they have already deposited 5-6 installments in lieu of the chambers allotted to them.

Notice of motion.

Notice re: stay as well.

Mr. Shivam Sharma, Advocate - proxy counsel on behalf of Mr. Tapish Sharma, Advocate has appeared and filed memo of appearance on behalf of respondent No.1 and waives service and seeks some time to complete instructions.

Adjourned to for 15.09.2023.

In the meanwhile, the list appended as Annexure P-15 shall be kept in abeyance till the next date of hearing insofar as the ineligibility and disqualification of the petitioners is concerned.”

2. Learned counsel for the petitioners submits that in terms of order dated 02.06.2023, the list appended as annexure P-15 along with the writ petition was to be kept in abeyance, thus no draw of lots could have been carried out for the purpose of allotment of Chambers by the District Bar Association, Pataudi.

3. On the other hand, learned counsel for the respondents submits that there was no interim order passed by the Writ Court for not holding draw of lots or staying the allotment process, it was only that the ineligibility and disqualification qua the petitioners who formed part of the list annexure P-15 was to be kept in abeyance. He further submits that in compliance of the interim order, the petitioners were made part of the draw of lots held on 03.06.2023 and were allotted Chambers and thus there was no violation of the order dated 02.06.2023.

4. I have heard learned counsel for the parties and gone through the paper-book.

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5. A perusal of the interim order dated 02.06.2023 clearly reflects that the list annexure P-15 was never ordered to be kept in abeyance, but only the ineligibility and disqualification of the petitioners forming part of that list was to be kept in abeyance. Meaning thereby, the petitioners were to be considered for allotment of Chambers *de hors* their names being reflected in the list annexed as P-15, pointing out their ineligibility or disqualification.

6. As per respondents, the petitioners were made part of draw of lots held on 03.06.2023 and remained successful for allotment of chambers. In such circumstances, there is no willful disobedience with respect to the order dated 02.06.2023 passed by the Writ Court on the part of the respondents.

7. Resultantly, the present petition is dismissed.

8. Pending miscellaneous application(s), if any, shall also stand disposed of.

21.01.2025
sanjay

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned ?	Yes/No
Whether Reportable ?	Yes/No