

**Sr. No.108****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****COCP-3779-2025 (O&M)****Date of decision: 29th August 2025****NEERAJ KUMAR****.....Petitioner****versus****MANOJ KUMAR, IAS AND OTHERS****.....Respondents****CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN****Present:** Mr. Balkar Singh, Advocate
for the petitioner.

Mr. Aakash Singla, Addl. A.G., Haryana.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed for initiation of contempt proceedings against the respondents for intentionally and willfully disobeying the directions passed by this Court vide order dated 31.01.2019, passed by the Assistant Collector 1st Grade, Sonipat (Annexure P-1), order dated 17.02.2025, passed by this Court in CWP-31873-2024 (Annexure P-2) and order dated 21.05.2025 (Annexure P-3).

2. Learned counsel for the petitioner contends that the respondents have filed a false affidavit dated 24.03.2025 (Annexure P-3), before the Hon'ble Division Bench of this Court, in CWP-31873-2024. It is further contended that in Para No.5 of the status report filed by way of an affidavit of Dr. Manoj Kumar, Deputy Commissioner, Sonapat (respondent No.1), it was submitted that the ejectment order dated



31.01.2019, passed in favour of the Gram Panchayat, will be executed as soon as the *status quo* order is vacated by the Civil Court.

2.1 It is further contended that the Civil Court has already dismissed the application under Order 39, Rule 1 and 2 read with Section 151 CPC vide order dated 16.04.2025 (Annexure P-5), as such, by making a false statement on oath, the said affidavit was filed and the petitioner had withdrawn the writ petition on the basis of the said false affidavit.

3. I have considered the aforesaid submissions and perused the paper book.

4. Perusal of the order passed by the Civil Court indicates that the application under Order 39, Rule 1 and 2 read with Section 151 CPC was dismissed on 16.04.2025, whereas, the status report by way of an affidavit of Deputy Commissioner, Sonapat (Annexure P-3), was prepared on 24.03.2025.

5. At the time when the said affidavit was prepared and signed by the Deputy Commissioner, Sonapat (respondent No.1), the application for interim stay under Order 39 Rule 1 and 2 CPC was not dismissed by the Civil Court, as such, there is no concealment of facts in the said affidavit. It is further evident from record that at that time, no grievance of the petitioner was left and the writ petition was accordingly “disposed of as not pressed” on 21.05.2025 (Annexure P-4), on the basis of the statement made by learned counsel for the petitioner.



6. In view of the above factual aspects, no case is made out to issue notice to the respondents under Section 11 and 12 of the Contempt of Courts Act, 1971.

7. Consequently, the present petition stands dismissed. Cost of Rs.10,000/- is imposed upon the petitioner for filing a frivolous petition, which is to be paid to the District Legal Services Authority, Sonapat.

8. Pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

29th August 2025
simran

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