



COCP-3750-2025 (O&M)

-1-

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

106

COCP-3750-2025 (O&M)

Date of Decision: 04.05.2026

VIRENDER SINGH AND OTHERS

.....Petitioners

Vs.

JITENDER KUMAR IAS

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Saurabh Dalal, Advocate and
Mr. Gurasis, Advocate
for the petitioners.

Mr. Harish Nain, AAG, Haryana.

SUDEEPTI SHARMA J. (Oral)

1. The present contempt petition has been filed for deliberate and intentional disobedience of order dated 16.02.2024 passed by this Court in CWP-19113-1997, titled as "*Rajbir Singh Kuhar and others Vs. State of Haryana and others*"

2. Learned counsel for respondent contends that in compliance of order dated 16.02.2024, affidavit of Mr. Jitender Kumar, Director Secondary Education, Haryana, Panchkula dated 16.10.2025 along with copy of order passed by the Division Bench of this Court dated 28.05.2025, in LPA No.2075-2024, attached as Annexure R-1, has been filed. The same is taken on the record.

3. A perusal of the same as well as the file of the case shows that State of Haryana preferred LPA against order dated 16.02.2024, which was allowed and order dated 16.02.2024 was set aside vide order dated 28.05.2025. The petitioners have placed on record order passed by the LPA



COCP-3750-2025 (O&M)

-2-

Bench of this Court as Annexure P-2. Still the present contempt petition is preferred by the petitioners. Despite having due knowledge of the legal position, the petitioners chose to file present contempt proceedings and continued to pursue the same without any justifiable or tenable grounds of law. Such conduct amounts to gross abuse of the process of law and unnecessarily adds to the burgeoning pendency of cases before this Court.

4. Normally when there is apparent contempt by the official respondents, this Court imposes costs to be deducted from their salary for non-compliance of the order. The present case is the set example of the litigants, who are in the habit of blaming/targeting the official respondents unnecessarily. A perusal of the file shows that there is no disobedience by the respondent, rather, he is doing his duties effectively and efficiently.

5. It is well settled that contempt jurisdiction is required to be exercised with great caution and circumspection and only in cases where willful and intentional disobedience of an order of the Court is clearly made out. The jurisdiction cannot be invoked to settle scores or to unnecessarily harass officials, particularly when the record reflects compliance with the directions issued by this Court.

6. Similar matter has already been dealt with by this Court in **COCP-3579-2025** decided on 24.07.2025 titled as “**Payal Chaudhary V/s KAP Sinha IAS and others**”, while placing reliance on the judgments passed by Hon’ble Supreme Court in case titled as “**Dalip Singh V/s State of Uttar Pradesh and others (2010) 2 SCC 114, Subrata Roy Sahara V/s Union of India (2014) 8 SCC 470 and K.C. Tharakan V/s State Bank of**



COC-3750-2025 (O&M)

-3-

India & Ors. passed in Writ Petition (Civil) Diary No(s).27458/2022". The relevant paragraphs of **Payal Chaudhary (supra)** are reproduced as under:-

"9. It is evident that the petitioner has engaged in what can only be described as a frivolous and vexatious litigation spree, seemingly driven by a misplaced sense of grievance. Such conduct constitutes a gross abuse of the judicial process and contributes significantly to the burgeoning pendency of cases before this Court. The tendency of litigants to misuse the judicial forum by engaging in forum shopping, filing repetitive and meritless petitions, and adopting dilatory tactics undermines the very foundation of our legal system and clogs the administration of justice.

10. The Hon'ble Supreme Court, in **Dalip Singh Vs. State of Uttar Pradesh and others (2010) 2 SCC 114**, has cautioned against this emerging category of unscrupulous litigants who, devoid of respect for truth, resort to falsehood and unethical practices in their pursuit of relief. The Supreme Court emphatically held that such litigants, who seek to pollute the stream of justice or who dare to touch the fountain of justice with unclean hands, are not entitled to any relief, interim or final. Relevant extracts of the same is reproduce as under:-

"In the last 40 years, a new creed of litigants has cropped up. Those who belong to this creed do not have any respect for truth. They shamelessly resort to falsehood and unethical means for achieving their goals. Courts have evolved new principles to curb such abuse, and it is now well established that a litigant who attempts to pollute the stream of justice or touches the pure fountain of justice with tainted hands is not entitled to any relief, interim or final."

11. The petitioner's conduct in instituting frivolous litigation has resulted in a gross misuse of the judicial



*process, thereby squandering the valuable time and resources of this Court. It is imperative, in the interest of justice, that bona fide and timely claims are adjudicated expeditiously, without being impeded by vexatious and unscrupulous litigation. At this juncture, reference may be made to the pertinent observations of the Hon'ble Supreme Court in **Subrata Roy Sahara v. Union of India (2014) 8 SCC 470**, wherein the Court lamented the pervasive malaise of frivolous litigation afflicting the Indian judicial system. The Hon'ble Apex Court observed as under:-*

“The Indian judicial system is grossly afflicted with frivolous litigation. Ways and means need to be evolved, to deter litigants from their compulsive obsession towards senseless and illconsidered claims. One needs to keep in mind, that in the process of litigation, there is an innocent sufferer on the other side of every irresponsible and senseless claim. He suffers long drawn anxious periods of nervousness and restlessness, whilst the litigation is pending, without any fault on his part.”

*12. The Hon'ble Supreme Court has consistently emphasized the need to deter frivolous appeals and petitions by imposing exemplary costs on the litigating parties. In Writ Petition (Civil) Diary No(s). 27458/2022 titled as **K.C. Tharakan v. State Bank of India & Ors.** decided on 01.05.2023, the Hon'ble Apex Court held as follows:*

“No legal system can permit a situation wherein a party repeatedly agitates the same issue after it has been conclusively adjudicated by the highest judicial forum. Such conduct amounts to a gross misuse of the judicial process and results in a significant waste of valuable judicial time. Accordingly, the present writ petition is dismissed with costs. However, taking into consideration that the petitioner is a dismissed employee, we deem it appropriate to impose a nominal cost. The writ petition is, therefore, dismissed with costs



quantified at ₹10,000/-, to be deposited with the Supreme Court Advocates-on-Record Welfare Fund, to be utilized for the benefit of the SCBA Library.”

7. In view of the above referred to judgments, this Court is firmly of the opinion that the instant petition constitutes a glaring instance of misuse of the judicial process. It is, therefore, incumbent upon this Court to safeguard the sanctity of judicial proceedings and to prevent their exploitation by unscrupulous litigants. The time and resources of this Court are limited and must be reserved for *bona fide* grievances that merit judicial consideration.

8. The aforesaid judgments clearly emphasize that frivolous and vexatious litigation must be curbed with a firm hand. The repeated filing of meritless petitions not only results in wastage of precious judicial time but also causes unnecessary harassment to public officials, who are constrained to defend themselves despite having acted in accordance with law.

9. Therefore, in the considered opinion of this Court, the time has come when not only deterrent costs must be imposed upon the official respondents but also upon the frivolous litigants. If, in cases of genuine disobedience, costs can be imposed upon officials and recovered from their salaries, there is no reason why, in cases of manifest abuse of process such as the present one, the erring petitioners should not be saddled with exemplary costs payable to the affected officials.

10. Accordingly, with a view to send a strong deterrent message and to preserve the sanctity of judicial proceedings, this Court deems it appropriate to impose costs of ₹50,000/- upon the petitioners, to be disbursed to the respondent.



COC-3750-2025 (O&M)

-6-

11. The said amount shall be deposited with the respondent in his bank account.

12. Consequently, the present contempt petition is **dismissed** with costs of ₹50,000/- (₹ Fifty Thousand Only), to be disbursed to the respondent. The respondent is directed to provide his bank account details to the petitioners.

13. In the event of default in compliance, the amount shall be recovered from the petitioners as arrears of land revenue by the competent authority.

14. Pending miscellaneous applications, if any, are also disposed of.

04.05.2026

P. Seth

(SUDEEPTI SHARMA)

JUDGE

Whether speaking/non-speaking : Yes/No
Whether reportable : Yes/No