



IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CWP-31164-2024 (O&M)  
Date of decision :16.07.2025

OM PARKASH (SINCE DECEASED) THROUGH  
HIS LRs.

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARSH BUNGER**

Present : Ms. Meenakshi Sharma, Advocate  
for the petitioner.

Mr. Rajneesh Chadwal, A.A.G., Haryana.

Mr. Ankit Chahat, Advocate  
for the private respondents.

**HARSH BUNGER, J. [ORAL]**

Prayer in the present petition, filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of *certiorari*, for setting aside the orders dated 10.03.2023, 24.03.2023 and 08.05.2023 (Annexure P-8) passed by the learned Assistant Collector Ist Grade, Rohtak; order dated 26.09.2023 (Annexure P-9) passed by the learned Collector, Rohtak; order dated 05.07.2024 (Annexure P-10) passed by the learned Commissioner, Rohtak Division, Rohtak and order dated 30.10.2024 (Annexure P-13) passed by the learned Financial Commissioner, Haryana.

2. Briefly, Uday Singh [predecessor of respondent No.5(a) and (b)] sought partition of joint land comprised in *khewat No.203/179* (as per jamabandi 2007-08), admeasuring *95 kanal-14 marlas* situated at village

Chamariya, Tehsil and District Rohtak. It is stated that subsequently, the partition application was amended for seeking partition of 81 kanal-9 marlas, after excluding the land which was reflected in the revenue records as “*gair mumkin*”.

2.1 In the afore-said partition proceedings, mode of partition was prepared and *naksha 'kha'* was called. Upon receipt of *naksha 'kha'*, objections thereon were called from the co-sharers. The petitioners are stated to have submitted their objections; however, the same were rejected; accordingly, the petitioners are stated to have filed an appeal, which was allowed by the learned Collector, Rohtak vide order dated 28.09.2022 and the matter was remanded to the learned Assistant Collector, with a direction to prepare *naksha 'kha'* after spot inspection.

2.2 It appears that in pursuance of order dated 28.09.2022, the learned Assistant Collector, inspected the spot and found that the land was given to the parties as per their possession and therefore, no further change in the *naksha 'Kha'* was to be carried out. It was further observed that the land comprised in *killa No.33//4 (11 kanal-7 marlas)* and *48//8 (min.) (4 kanals)* was ‘*gair mumkin*’ land and that *killa No.26//23/2* was vacant at the spot. Accordingly, *naksha 'Kha'* was accepted and *naksha 'Ga'* was called, vide order dated 10.03.2023.

2.3 Later on, *naksha 'Ga'* was approved on 08.05.2023 by the learned Assistant Collector and it was directed that the *sanad takseem* be prepared.

2.4 It transpires that the petitioners have challenged the afore-said orders/partition proceedings by filing an appeal before the learned Collector, Rohtak, which was dismissed on 26.09.2023 (Annexure P-9) and even a revision preferred by the petitioners before the learned

Commissioner, Rohtak was also dismissed on 05.07.2024 (Annexure P-10).

The second revision (**ROR No.318 of 2023-24**) was also dismissed by the learned Financial Commissioner, vide order dated 30.10.2024 (Annexure P-13).

2.5 In the afore-mentioned circumstances, the present writ petition has been filed before this Court, for seeking relief/s, as noticed here-in-above.

3. A perusal of the order sheet would show that the instant writ petition came up for hearing before a Co-ordinate Bench of this Court on 20.11.2024; when the matter was adjourned for 26.11.2024 on the request of learned counsel for the petitioners.

3.1 On 26.11.2024, notice of motion was issued in this matter for 26.02.2025.

3.2 On 01.03.2025, a contempt petition (**COCP-4723-2024**) was listed before this Court; wherein, the following order was passed :-

*“The present contempt petition has been filed under Article 215 of the Constitution of India read with Sections 10, 11 and 12 of the Contempt of Courts Act, 1971, with a prayer for initiating the Contempt of Court proceedings against the respondents for intentionally, willfully and deliberately creating, producing and circulating a fake, forged, fabricated and manipulated document (Annexure P-2), purporting to be a copy of the order of this Court passed on 20.11.2024 in CWP No.31164 of 2024, whereas a copy of the original order passed by this Court on 20.11.2024 in CWP No.31164 of 2024 is attached with the instant contempt petition as Annexure P-1.*

2. *Mr. Ankit Chahal, Advocate appears and files fresh Vakalatnama on behalf of the petitioner in Court today, which is taken on record, subject to all just exceptions.*

3. *It is the case of petitioner in the contempt petition that the above referred writ petition bearing CWP No.31164 of*

2024 has arisen out of the partition proceedings pending between the parties, wherein the Instrument of Partition (Sanad Takseem) came to be issued on 09.02.2024 by the learned Assistant Collector, Ist Grade, Rohtak. It is stated that the revision petition (ROR No.318 of 2023-24) preferred by respondents No.2 to 5 in the present contempt petition, was rejected by the learned Financial Commissioner, Haryana vide order dated 30.10.2024. In the meantime, the petitioner herein namely, Antriksh, had filed an Execution Petition on 13.09.2024 for handing over the possession of the partitioned land, whereupon the Halqa Girdawar, namely Manoj Kumar (respondent No.1 herein) was entrusted the matter for carrying out the demarcation and delivering the possession of the partitioned land to the respective share holders, in compliance of the Instrument of Partition (Sanad Takseem). It is stated that thereafter, respondent No.1 had issued notices to the parties on 22.10.2024 and 04.11.2024 and on both the occasions, proceedings were not conducted. Respondents No.2 to 5 thereafter, filed a writ petition bearing CWP No.31164 of 2024 challenging the partition proceedings/Sanad Takseem etc., which came to be listed for hearing before a co-ordinate Bench of this Court on 20.11.2024 and the same was simply adjourned to 26.11.2024 (Annexure P-1). It is alleged that since respondents No.2 to 5 failed to get any interim stay in their favour and in order to hamper the execution proceedings, they hatched a criminal conspiracy in collusion with each other by forging and manipulating the original order dated 20.11.2024 passed and uploaded on the Website of this Court; and fabricated a document (Annexure P-2), as noticed above. It is stated that the aforesaid fabricated document (Annexure P-2) was forwarded by respondent No.1 (Manoj Kumar, Halka Girdawar, Office at 10, Civil Road, Company Bagh, Rohtak Tehsil Office, Rohtak, Haryana) on the WhatsApp number of the petitioner, i.e. 81680-13127 from his own (Manoj Kumar's) WhatsApp number 98125-01666. In this regard, the petitioner has placed on record a screenshot of the WhatsApp message

(Annexure P-3) received by him from Manoj Kumar (respondent No.1 herein).

4. Original order dated 20.11.2024 (Annexure P-1) and the order which is stated to be fake and fabricated order, i.e. Annexure P-2, read as under:-

**Order (Annexure P-1) as uploaded  
on Website of this Court**

*On request of learned counsel for the petitioners, adjourned to 26.11.2024.*

**Contents of Annexure P-2**

*Per the petition filed by Ld. Counsel, the petitioner are allotted less land compared to their rightful evident, thereby has been accepted.*

*On request of learned counsel for the petitioners, no action is commanded as adjourned to 26.11.2024.*

5. During the course of hearing of this contempt petition, the authenticity of order dated 20.11.2024 was checked on the Website of this Court and it is seen that in fact the original order passed in writ petition bearing CWP No.31164 of 2024 is the one which is attached with this contempt petition as Annexure P-1, whereas, order dated 20.11.2024 attached as Annexure P-2 is clearly a fudged/forged and fabricated document.

6. Notice of motion.

7. Mr. Sushil K. Sharma, Advocate for Mr. M.L. Sharma, Advocate, appears and accepts notice on behalf of respondents No.2 to 5 in the Contempt Petition and seeks time to file reply.

8. At this stage, Mr. Dinesh Arora, Advocate appears and files his Power of Attorney on behalf of respondent No.1 (Manoj Kumar) in Court today, which is taken on record, subject to all just exceptions. He informs the Court that the forged document (Annexure P-2) was in fact forwarded to mobile number of respondent No.1 (Manoj Kumar) by respondent No.4 (Anil Kumar son of Om Parkash) from his mobile phone bearing No.99997-26829.

8.1 It is stated that the aforesaid mobile number of respondent No.4 herein (Anil Kumar) is also mentioned in the Memorandum of Parties of the writ petition (CWP No.31164 of

2024), as Anil Kumar is petitioner No.3 in the said writ petition.

9. Apparently, the original order (Annexure P-1) passed by this Court in CWP No.31164 of 2024 has been fudged/forged and fabricated, which is indeed a serious matter and requires to be thoroughly investigated/inquired into.

10. The petitioner (Antriksh), who is present in person in this Court and has been duly identified by his counsel, has brought his mobile phone on which he had received the aforesaid forged/fudged message from respondent No.1 (Manoj Kumar). Accordingly, an officer was called from Police Station Cyber Crime, Sector-17, U.T., Chandigarh, whereupon Sub-Inspector Satyawar Singh, Belt No.1274 from Police Station Cyber Crime, Sector-17, U.T., Chandigarh has put in appearance.

10.1 Petitioner (Antriksh) is directed to accompany Sub-Inspector Satyawar Singh to the Police Station, where Sub-Inspector Satyawar Singh or any other competent officer shall take the mobile phone of the petitioner in custody, after complying with all formalities.

11. In view of the above, Senior Superintendent of Police, Chandigarh is directed to get the matter thoroughly inquired into as regards the person(s) involved in creating/forging the document (Annexure P-2) and to submit a report in this regard within a period of one month from today.

11.1 Registry of this Court is also directed to furnish its report with regard to Annexures P-1 and P-2 attached with the Contempt Petition.

12. List for further consideration on 23.04.2025.

13. To be shown in the Urgent List.

14. Copy of this order be immediately forwarded to the Senior Superintendent of Police, Chandigarh for necessary action and compliance.

14.1 A copy of this order be also given to Satyawar Singh, Belt No.1274 from Police Station Cyber Crime, Sector-17, U.T., Chandigarh as well as learned counsel for the parties

*under the signatures of Court Secretary attached with this Court.”*

3.3 Pursuant to order dated 01.03.2025, an enquiry report had been submitted before this Court in the afore-said contempt petition whereupon the following order was passed :-

*“The present contempt petition has been filed under Article 215 of the Constitution of India read with Sections 10, 11 and 12 of the Contempt of Courts Act, 1971 with a prayer for initiating the Contempt of Court proceedings against the respondents for intentionally, willfully and deliberately creating, producing and circulating a fake, forged, fabricated and manipulated document (Annexure P-2), purporting to be a copy of the order of this Court passed on 20.11.2024 in CWP-31164-2024, whereas as per the original order, passed by this Court on 20.11.2024 in CWP-31164-2024, the matter had only been adjourned.*

*By way of the manipulated document (Annexure P-2), which is stated to have been forwarded to the whatsapp number of the petitioner from the mobile of respondent No.1 (Manoj Kumar, Halka Girdawar), it is reflected that no action was commanded in the partition matter.*

*When the matter was placed before this Court on 01.03.2025, after examining the facts, it was found that the original order dated 20.11.2024 (Annexure P-1) passed by this Court in CWP-31164-2024 has been apparently fudged/forged and fabricated, accordingly, Senior Superintendent of Police, Chandigarh was directed to get the matter thoroughly inquired into as regards the person(s) involved in creating/forging the document (Annexure P-2) and to submit a report in this regard.*

*Today, Mr. Sumeet Jain, Advocate has appeared on behalf of the U.T. Chandigarh and has handed over a copy of short affidavit dated 15.07.2025 of Sh. Venkatesh DANIPS, Deputy Superintendent of Police, Cyber Crime, U.T. Chandigarh along with a copy of the inquiry report dated*

15.07.2025 (Annexure A-4), wherein the following conclusion has been arrived at:

*“During the course of enquiry, sealed parcels of the mobile phones and laptop were sent to CFSL on 25.03.2025. The data report from CFSL, Sector 36, Chandigarh, confirmed that the edited PDF copy of the court order dated 20.11.2024 was sent by Anil Kumar from WhatsApp number 9999726829 to Halqa Girdawar Manoj Kumar (WhatsApp No. 9812501666), and the same was forwarded by Manoj Kumar on 21.11.2024 to petitioner Antriksh (WhatsApp No. 8168013127).*

*As per Anil Kumar’s handwritten statement, he voluntarily admitted that he edited the court order using VPN and online websites in order to delay land possession proceedings until 26.11.2024. However, as per the CFSL report, no activity related to editing the order was found on the seized laptop of Anil Kumar.*

*Statements of Antriksh, Manoj Kumar, and Anil Kumar, along with seizure memos of the mobile phones and laptop, and the CFSL report are attached herewith.”*

In **Mohan Singh v. Late Amar Singh through LRs., 1998(6) SCC 686**, Hon’ble Supreme Court observed as under:-

*“Tampering with the record of judicial proceedings and filing of false affidavit in a court of law has the tendency of causing obstruction in the due course of justice. It undermines and obstructs free flow of the unsoiled stream of justice and aims at striking a blow at the rule of law. The stream of justice has to be kept clear and pure and no one can be permitted to take liberties with it by soiling its purity. Since we are prima facie satisfied that the tenant has filed false affidavits and tampered with the judicial record, with a view to eradicate the evil of perjury, we consider it appropriate to direct the Registrar of this Court to file a complaint before the appropriate court and set the criminal law in motion against the tenant, the appellant in this case namely Mohan Singh.”*

*Prima facie, the act of Mr. Anil Kumar (respondent No.4) has impeded/obstructed the free flow of the unsoiled stream of justice and undermines the authority of this Court. Accordingly, it is directed that let a copy of the inquiry report dated 15.07.2025 (Annexure A-4) be given to the Registrar General, who may either at its own level or through any other authorized officer shall file a complaint/FIR before the appropriate authority/forum and set the criminal law in motion, so that appropriate legal action is taken in the matter.*

*List for further consideration on 31.07.2025.”*

4. In view of the above and considering the act and conduct of the petitioners, which has obstructed the due course of justice; I am of the considered view that the petitioners are not entitled to any indulgence by this Court. Accordingly, the instant writ petition is ordered to be dismissed.
5. All pending application/s, if any, shall also stand closed.

**July 16, 2025**  
gurpreet

**(HARSH BUNGER)**  
**JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No