



**IN THE HIGH COURT OF MADHYA PRADESH**

**AT INDORE**

**BEFORE**

**HON'BLE SHRI JUSTICE PRANAY VERMA**

**CONTEMPT PETITION CIVIL No. 771 of 2025**

***VIVEK SINGH CHOUHAN***

*Versus*

***GOVIND MOHAN***

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**Appearance:**

Shri Mrigendra Singh (through video conferencing), learned Senior Advocate with Shri Raghav Raj Singh and Shri Kaushal Sisodiya, learned counsel for the petitioner.

Shri Sunil Kumar Jain, learned Additional Solicitor General with Shri Romesh Dave, learned counsel for respondent.

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**ORDER**

***(Reserved on 08.01.2026)***

***(Pronounced on 16.02.2026)***

1. This petition has been preferred by the petitioner alleging non-



compliance of order dated 09.12.2024 passed in W.P. No.10038/2024 whereby the respondent No.1 to the petition i.e. the Union of India was directed to ensure that the petitioner receives the gallantry award within a month's time.

2. The facts of the case in brief are that in the year 2003 the petitioner was posted as Incharge SHO Police Station, Ghatigaon, District Gwalior. On 24.06.2003 upon receiving discreet information about presence of dacoits in the village Dadakheda he reached there with force and two dacoits were shot dead. Two twelve bore rifles and several cartridges were seized. In the encounter the petitioner also sustained injury. The encounter was followed by a magisterial enquiry in which clean chit was given to the petitioner. The Superintendent of Police recommended the higher authorities for grant of out of turn promotion to the petitioner. Recommendation was also forwarded for award of President's Police Medal for gallantry to the petitioner. The petitioner submitted representation to the respondents in that regard but no action was taken. The petitioner hence preferred W.P. No.15215/2013 before this Court which was allowed by order dated 02.04.2018 and the respondents/State were directed to forward the case



of the petitioner to the concerned authority for grant of President's Medal for Gallantry Award within a period of 60 days and the concerned authority was directed to consider the case of the petitioner in accordance with the Circular. Thereafter the State Government forwarded the name of the petitioner for grant of the award on 01.04.2019. By order dated 14.10.2019 the Under Secretary (PMA) Ministry of Home Affairs rejected the claim of the petitioner. The petitioner hence preferred W.P. No.10038/2024 before this Court which was allowed by order dated 09.12.2024 and the respondent/Union of India was directed to ensure that the petitioner receives the Gallantry Award within a month's time. The said order was affirmed by the Division Bench of this Court by order dated 09.01.2025 in W.A. No.3192/2024. Alleging that despite the aforesaid order passed in the Writ Petition the award has not been conferred upon the petitioner the present petition has been preferred.

4. Learned counsel for the petitioner submits that there has been clear disobedience of the order passed by this Court by the respondent. The petitioner has always been contesting the matter for grant of President's Gallantry Medal to him. Ever since the inception of the



litigation that has been his sole prayer. This Court also in the earlier order had considered the case of the petitioner only for grant of President's Gallantry Medal to him and the orders which had been passed were also considering the said claim. The respondent is taking undue advantage of the fact that in the order of which violation has been alleged it was directed that the petitioner should receive the gallantry award. However that would not mean that the petitioner can be given any medal for gallantry. The true import of the order is that the award which has to be given to the petitioner is President's Gallantry Medal for which he has been litigating. By trying to create a situation of ambiguity in the order the respondent is acting mischievously. The same is wholly illegal and an attempt by the respondent to over reach the order passed by this Court and to nullify its effect.

5. Reply was earlier filed by the respondent/contemner on 18.03.2025. However a perusal of the said reply shows that the same was on merits of the case and it had been detailed as to how and in what manner medals are conferred. The instant are contempt proceedings and not original proceedings and the only question for consideration is whether the order passed in the Writ petition has been complied with. It



is not to be seen whether the petitioner is entitled for the award. Thus this reply filed by the respondent is of no consequence. Moreover, by order dated 05.05.2025 this Court has already observed that it is not satisfied with the explanation given by the respondent. The learned Deputy Solicitor General had submitted that he will ensure compliance of the order before the next date.

6. Thereafter a compliance report has been filed by the respondent in which it has been stated that the case of the petitioner has been examined in accordance with the prescribed guidelines upon which the Hon'ble President of India has been pleased to approve award of Gallantry Medal (GM) to the petitioner which has been duly communicated to the State Government.

7. Thus it is evident that the award which has been approved in favour of the petitioner is the Gallantry Medal (GM) and not the President's Gallantry Medal. It is not in dispute between the parties that both these medals are quite distinct and different. President's Gallantry Medal is the highest award which can be granted to a personnel such as the petitioner whereas Gallantry Award is an award which is granted to numerous persons at the same time. The former award is given to only



one person. Thus President's Gallantry Medal stands on a much higher pedestal than the Gallantry Award which has been approved in favour of the petitioner.

8. Though during course of hearing learned counsel for respondent submitted that the order passed by this Court in the Writ Petition was for conferring gallantry award to the petitioner in compliance of which Gallantry Medal (GM) has been approved for him but the same is a totally unwarranted and a mischievous interpretation of the order passed by this Court. The prayer made in the Writ Petition was specifically for conferral of President's Gallantry Award and not for any gallantry award. The said fact had been noted by this Court in the order itself. In any case when the entire history of the litigation is perused it is observed that since the very inception the petitioner had been claiming President's Gallantry Medal and not any medal for gallantry or a gallantry award. The direction which had been issued by this Court in the earlier Writ Petition was in respect of President's Gallantry Medal alone. It had been understood by the parties at all relevant points of time that the case of the petitioner is for President's Gallantry Medal and they had litigated on that basis. Eventually the case of the petitioner



has been found to be meritorious and direction has been issued in his favour. The same necessarily has to be construed as a direction for President's Gallantry Medal and there is no ambiguity in the order when the same is looked into in the light of the entire proceedings. The case of the petitioner was solely for President's Gallantry Medal which has been accepted by this Court and direction issued in his favour. Merely because in the last line of the order the words “gallantry award” have been mentioned, it would not give the respondent a right to approve Gallantry Medal (GM) in favour of the petitioner. In doing so the respondent has clearly over reached the order passed by this Court and has acted in an absolutely mischievous and unwarranted manner and in doing so has clearly violated the order passed by this Court and is hence in contempt of the lawful authority of this Court.

9. As a result of the aforesaid discussion it is evident that the respondent has willfully and deliberately disobeyed and disregarded the order passed by this Court and with full knowledge has declined to comply the same. There is an apparent effort on his part to over reach the lawful authority of this Court and in flouting the order. He is hence *prima facie* guilty of committing contempt of this Court. However



before proceeding to hold him guilty I deem it appropriate to grant him one more opportunity to ensure compliance of the order. If the order is not complied with before the next date of hearing the respondent shall automatically be deemed to be held in contempt of the order passed by this Court and further proceedings against him in accordance with law would be taken.

10. List in week commencing 23.03.2026.

**(PRANAY VERMA)**  
**JUDGE**

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