

A

VISHAL JEET
v.
UNION OF INDIA AND ORS.

MAY 13, 1998

B

[DR. A.S. ANAND, S.B. MAJMUDAR AND B.N. KIRPAL, JJ.]

Rules to Regulate Proceedings for Contempt of the Supreme Court, 1975: Rule 3(c).

C

Contempt—Petition filed by petitioner—Advocate—Dismissed by Supreme Court earlier—Filing of fresh contempt petition—Grievance that he has not been made a member of the Central Advisory Committee—Consent to file declined by Solicitor General under Rule 3(c) on the ground that it was not a fit case for initiating contempt—Despite opinion of Solicitor General contempt petition filed—Held petition was totally mis-conceived and motivated—Recourse to such a petition was abuse of process of Court—

D

Direction to Registry not to entertain any other petition concerning same cause of action from the petitioner in future.

CONTEMPT PETITION (CRL.) NO. D4106 of 1998. :

E

IN

WRIT PETITION (CRL.) No. 421 of 1989 : (For prel. hearing)

(Under Article 32 of the Constitution of India.)

F

In-person for the Petitioner.

The following Order of the Court was delivered :

G

This petition running into 312 pages, filed by the petitioner in person who claims to be an advocate, seeks initiation of contempt proceedings against the respondents. An earlier petition filed by the same petitioner on the same cause (Contempt petition No. 1/1994) had been dismissed by this Court on 22nd August, 1994. At page 234 of the paper book, the petitioner has stated that the dismissal of the earlier petition "was wrong".

This petition is totally mis-conceived. The main grievance of the petitioner appears to be that he has not been made a member of the Central

Advisory Committee. It is reflected in the prayer clause at page 305.

Prayer 'C' reads as follows :

"I may be appointed member of the Central Advisory Committee under Directions No. 8 of the judgment (In the contempt petition No. 1 of 1994, Hon'ble Supreme Court has endorsed that I can be appointed member of the Committee constituted at centre. Union Welfare Minister, Secretary Law, Home Secretary and Welfare Secretary have recommended the usefulness of mine in the Committee. Cabinet Secretary has also requested the Women & Child Development Secretary to appoint me member of this Committee. But she has not entertained the request of any of such senior officers so far. She must give useful explanation as to why she is so averse to my induction in the committee which was consituted only when I filed contempt in the Hon'ble Court. Govt. Officers cannot act arbitrarily or obstruct the process of law.)"

The filing of this contempt petition, thus appears to be motivated. Besides, the learned Solicitor General, on being approached by the petitioner, to seek consent to file this contempt petition as required by Rule 3(C) of the Rules to regulate proceedings for contempt of the Supreme Court, declined to give his consent on 7th April, 1998 on the ground that it was not a fit case for initiating contempt proceedings. The petitioner, despite the opinion of the Solicitor General, filed this petition undeterred by the order of this Court dated 22nd August, 1994. Even when the petitioner was told so, he persited and did not even maintain proper discipline in the Court.

Recourse to such contempt proceedings is an abuse of the process of the Court and it disturbs us more, when we find that the petitioner appears to be an advocate.

The registry is directed not to entertain any other petition concerning the same cause from the petitioner in future.

The contempt petition is, accordingly, dismissed.

T.N.A.

Petition dismissed.