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Status: **Pending**

Case Number: **WP 12336/2022**
(KAHC010270482022)

Classification: **L RES**

Date of Filing: **17/06/2022 17:14:31**

Petitioner: **SRI. ANNADURAI. K**

Pet. Advocate: **M.VEERABHADRAIAH**

Respondent: **THE GOVT OF INDIA**

Resp. Advocate: **VENKATANARAYANA
B S**

Filing No.: **WP 11416/2022**

Judge: **K S HEMALEKHA**

Last Posted For: **ORDERS**

Last Date of Action: **13/02/2024**

Last Action Taken: **ADJOURNED**

Next Hearing Date:

Tentatively case may be listed on
(likely to be listed on): **23/10/2025**
(Computer Generated Date)

Daily Orders: WP 12336/2022

1	K S HEMALEKHA	<u>13/02/2024</u>
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I.A. No.7/2024 is filed to recall the order dated 05.02.2024, insofar as it relates to paragraph Nos.13 to 17 initiate suo-motu contempt proceedings against the petitioner's counsel.

2. Today, an affidavit of unconditional apology has been filed by the petitioner's counsel.

3. IA filed by the petitioner more particularly at para Nos.2 and 3 reads as under:

2. On perusal of the order at IA No.2/2022, the order related to the said application had come to an end at paragraph 12 and from paragraph 13 onwards, there is one more order was passed by this Hon'ble Court, therein the conduct of the counsel on record was commented in the court proceedings based on that, at paragraph 16 and 17 the Registrar(Judicial) is asked to take certain steps to initiate Suo motu criminal contempt against the learned counsel on record.

" It is submitted that the counsel for the petitioner is highly regrated for the things which had happended on 05.02.2024, counsel on record seeks unconditional apology in so far as the situation occurred on that day".

3. I submit that the counsel on record is having utmost greatest respect to this Hon'ble Court and who has already completed about more than 38 years of practice in this profession without any blemish. In fact, the counsel on record was not intended to create such a situation, but incidentally it was so happened without any intention or otherwise. It is submitted that the counsel on record was not intended in any way to cause disrespect to the majesty of this Hon'ble Court or much less not intended to cause any damage to the decorum and dignity of this Hon'ble Court not only on the said date, even during the entire practice of more than 38 years. Anyhow, the things which has happened on that day, it has still made the counsel for worrying the same on his own conduct. However, the counsel on record seeks his regret to the things happened on that day and further assures this Hon'ble Court that in future all precautions and cautions will be maintained to avoid repetition of such situations not only before this Hon'ble Court but also before any other court where the counsel is on record. It is pertinent to state that the counsel on record is also having good practice both in civil and service side including miscellaneous matters and at no point of time, a situation was warranted to happen except on 05.02.2024. Therefore, the counsel on records makes further statement who is having greatest and highest respect to this institution as well as this Hon'ble Court that the situation which has given room for the present order would not be allowed to be repeated in future.

4. The affidavit of unconditional apology at Para Nos.1 and 2 reads as under:

1. By this affidavit, I am hereby tendering my unconditional apology on the following lines:
 "I submit that it has been highly regretted on my part for having cropped up the situation as depicting from the order of this Hon'ble Court dated 05.02.2024, I seek an unconditional apology in so far as the said unpleasant incident is concerned".

2. Therefore, I express my sincere regret and apology regarding the unpleasant situation culminated on that day i.e. on 05.02.2024. Further, I hereby assure to this Hon'ble Court that, in future all precautions and cautions will be maintained to avoid repetition of such situations. I further state that as an advocate, I am having greatest and highest respect to this institution, therefore I hereby tender my unconditional apology upon extended my regret for such incident, hence this affidavit may kindly be taken on record in the ends of justice.

5. The affidavit is taken on record.

6. In light of the affidavit indicating an unconditional apology by the petitioner's counsel, this Court deems it appropriate to recall the order dated 05.02.2024, insofar as directing the registry to initiate suo moto criminal contempt proceedings against the petitioner's counsel and forwarding the copy of this order to the President of the State Bar Council, as stated at paragraph Nos.16 and 17 onwards.

Accordingly, I.A.No.7/2024 is allowed.

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2	K S HEMALEKHA	<u>05/02/2024</u>
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