

**Court No. - 47**

**Case :-** CONTEMPT APPLICATION (CRIMINAL) No. - 11 of 2022

**Applicant :-** In Re Of The Honble High Court

**Opposite Party :-** Bharat Singh (Advocate)

**Counsel for Applicant :-** Suo Moto, Sudhir Mehrotra

**Counsel for Opposite Party :-** Ramesh Kumar Pandey

**Hon'ble Ashwani Kumar Mishra, J.**

**Hon'ble Shiv Shanker Prasad, J.**

This is an extremely serious matter.

On 1st July, 2022, a lady Judicial Officer posted at outlying court at Khurja of Bulandshahr Judgeship has made a reference to this Court under Section 15 (2) of the Contempt of Courts Act, 1971 against the opposite party/contemnor, namely, Bharat Singh, Advocate, Khurja, Bulandshahr, in respect of the alleged criminal contempt committed by him, in her court, while she was holding the court proceedings. Cognizance upon such reference has been taken by this Court by issuing notices to the opposite party/contemnor on 1st August, 2022 fixing 5th September, 2022 as the date for appearance of the contemnor and filing of his reply in the matter. On 5th September, 2022 the proceedings were adjourned by three weeks awaiting service of notice upon the contemnor. The matter was again listed on 31st October, 2022 when the proceedings were adjourned on the illness slip of Ramesh Kumar Pandey, learned counsel appearing for the contemnor. Till date, however, no reply has been filed in the matter by the contemnor.

Mr. Sudhir Mehrotra, learned Special Counsel appearing for the High Court has placed before us a subsequent communication sent by the same Officer to the Hon'ble Administrative Judge, Bulandshahr informing him of the subsequent conducts of the contemnor in insulting her; obstructing the court proceedings and also hurling abuses against her. The lady Judicial Officer has informed that on account of such contemptuous act of the opposite party/contemnor she had to rise from her dais and had to take shelter in her Chambers to protect her life, liberty and dignity. The incident referred to in the communication is of 20th December, 2022. Again on 21st December, 2022 the lady Judicial Officer was insulted and misbehaved with, publicly, and threatened by the contemnor. The contemnor allegedly has made statements in open court daring anyone to challenge him. The Hon'ble Administrative Judge, Bulandshahr in his communication has recorded that the lady Judicial Officer is in family way and her safety and security is seriously threatened.

When the matter is taken up today an adjournment is sought on behalf of the contemnor on the ground that he requires further time to file his reply/counter affidavit. The

prayer is strongly opposed by Mr. Sudhir Mehrotra, learned Special Counsel for the High Court.

Dilatory tactics apparently are being adopted by the contemnor while seeking adjournment before this Court. The contemnor allegedly has acted in a most irresponsible manner and his conduct leaves much to be desired. We cannot allow the rule of law to be thrown to winds at the hands of an unscrupulous contemnor. Acts of intentional disrespect to a lady Judicial Officer will have to be viewed seriously and dealt with strictly or else the judicial system would collapse.

In the facts of the present case, we, therefore, invoke our jurisdiction under Chapter XXIV Rule 11 (2) of the Allahabad High Court Rules and prohibit the contemnor/opposite party from practicing law in any court within the State of Uttar Pradesh till the next date of listing. The Senior Superintendent of Police, Bulandshahr is also directed to take necessary steps to ensure the safety and security of the lady Judicial Officer, forthwith, and any act of aberration on the part of the contemnor shall be independently dealt with, in accordance with applicable provisions of law.

List this matter once again on 12th January, 2023 when the contemnor shall remain present before this Court personally.

We caution the contemnor to remain careful in future and not act in an undesirable manner as his conduct is under strict watch of this Court.

The District Judge, Bulandshahr shall also ensure that necessary action be taken qua the safety and security of the lady Judicial Officer and the court proceedings are not hampered or interfered with in any manner by the contemnor or anyone else supporting him.

The registry is directed to communicate our order to the District Judge, Bulandshahr and the Senior Superintendent of Police, Bulandshahr for necessary compliance, forthwith. Learned A.G.A. for the State, present in the Court shall also communicate our directions to the concerned officers of the State for its necessary compliance.

(Shiv Shanker Prasad, J.)

(Ashwani Kumar Mishra, J.)

**Order Date :- 2.1.2023**

Sushil/-