

ITEM NO.15 Court 7 (Video Conferencing) SECTION X

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 734/2020

YATIN NARENDRA OZA Petitioner(s)

VERSUS

HIGH COURT OF GUJARAT Respondent(s)

(FOR ADMISSION and IA No.67318/2020-STAY APPLICATION
IA No. 68970/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 06-08-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s) Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Arvind Datar, Sr. Adv.
Mr. Shekhar Naphade, Sr. Adv.
Mr. P.H. Parekh, Sr. Adv.
Mr. Mihir Joshi, Sr. Adv.
Mr. Purvish Jitendra Malkan, AOR
Mr. Aditya Gupta, Adv.
Ms. Dharita P. Malkan, Adv.
Ms. Deepa Gorasia, Adv.

Mr. Yatin Narendra Oza, Petitioner in person

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Application for permission to file additional
documents/facts/annexures is allowed.

We have heard at length Dr. Abhishek Manu Singhvi, Mr. Arvind Datar, Mr. Shekhar Naphade, and Mr. Mihir Joshi, learned senior counsels. Mr. Pravin H. Parekh, learned senior counsel also represents the petitioner. In fact Mr. Dushyant Dave, learned

President of the Supreme Court Bar Association who was actually in the next matter also addressed us.

We also considered appropriate to hear out the petitioner who is present in Court.

The common theme which goes through all these submissions is that the petitioner has been a leader of the Bar and has made considerable contribution but at times has exceeded his brief in expressing his sentiments in a language which is best avoided. This appears to be another incident of the same nature as in the past.

The counsels and the petitioner state that there was an unqualified apology even before the Full Court and before the Court seized of the contempt matter. We may note that the petitioner himself has been quite apologetic before us and states that he should not have used the words he used and those words were used in the heat of the situation where everybody is troubled by the prevailing problem of Covid and the grievances of the younger members of Bar. The counsels and he both submit that his statements were uncalled for which he deeply regrets. The petitioner goes as far as to use an adjective against himself for using such intemperate language and assures not to ever in future repeat such conduct. We did put to him that the grievances may exist but can always be conveyed in a better language. Systems can be improved but imputations should not unnecessarily be made.

The contempt proceedings are still pending and in view of his unconditional apology both before the Full Court, the contempt proceedings and before us, we consider it appropriate that the contempt court itself first applies its mind to the issue. The

petitioner has no hesitation in saying that he has apologized unconditionally and will apologise unconditionally in the contempt proceedings and pray for bringing to closure those proceedings.

He submits that he will also make a representation to the Full Court stating that the deprivation of his gown for the existing period already is sufficient punishment for him and he stood chastened and that the Full Court may reconsider the aspect of the restoration of the senior's gown rather than depriving him for all times to come.

We have put to the petitioner that as a leader of the Bar and as a senior member, a far greater responsibility is expected of him to not only be more restrained but also to guide the younger lawyers in these difficult times.

We consider it appropriate to defer consideration of the present matter by two weeks and we hope, in the meantime, a finality would be given to the two aspects we have stated aforesaid.

List on 26th August, 2020.

At the request of the learned Advocate-on-Record for the petitioner, page B is to be replaced on account of some typographical error.

The request is acceded to.

(ASHA SUNDRIYAL)
AR CUM PS

(ANITA RANI AHUJA)
ASSISTANT REGISTRAR