

ITEM NO.16 Court 6 (Video Conferencing) SECTION II-B

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

Petition(s) for Special Leave to Appeal (CrI.) No(s). 8730/2021

(Arising out of impugned final judgment and order dated 08-11-2021 in CRR No. 1388/2021 passed by the High Court Of Punjab & Haryana At Chandigarh)

RAMESH CHANDER DIWAN Petitioner(s)

VERSUS

CENTRAL BUREAU OF INVESTIGATION Respondent(s)

(FOR ADMISSION and I.R. and IA No.147198/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.147199/2021-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No.147717/2021-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 22-11-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mr. Siddharth Luthra, Sr. Adv.
Mr. Anand Mishra-1, AOR

For Respondent(s) Mr. Aditya Grover, Adv.
Mr. Harshit Khanduja, Adv.
Ms. Gauri Neo Rampal, AOR
Mr. Arjun Grover, Adv.
Ms. Pooja R. Sharma, Adv.

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

The impugned order is as under :

“On request made by
counsel for the petitioner,
adjourned to 10.01.2022.”

The special leave petition has been preferred not on any other fact or even the fact that the order is wrongly recorded but that the High Court erred in mechanically adjourning the matter for

three months without issuing notice to the respondent and that the long adjournment without any interim protection would take away the petitioner's right to approach a Higher Court. We do not know why the adjournment was requested- whether the counsel was not ready or whether there were lack of material instructions from the petitioner to the counsel! The fact remains that the learned Judge only obliged the counsel for the petitioner by accepting the request for adjournment. Yet the order is sought to be faulted by the petitioner by filing a petition under Article 136 of the Constitution of India. If this is not a misuse of process of law, one can say little else. This Court is not a walk in place only because Chandigarh happens to be in the proximity to Delhi.

We are of the view that the petitioner must pay for wastage of judicial time. and thus dismiss the petition with cost of Rs. 20,000/- to be deposited with the Supreme Court Group "c' (Non-Clerical) Employees Welfare Association within four weeks from today.

Pending applications stand disposed of.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)