

Charan Lal Sahu

Vs

Union of India and Another

Writ Petition (Civil) No. 849 of 1987

(Ranganath Misra, K. N. Singh JJ)

09.10.1987

ORDER

1. This application has been filed by an advocate of this Court by way of a public interest litigation. It had been listed earlier and learned Attorney General had entered appearance on behalf of the Union of India.

2. We have heard the petitioner. The petition has been couched in unsavoury language and the petitioner seems to have made an intentional attempt to indulge in mud-slinging against the advocates, this Court in particular as also other constitutional institutions. Many of the allegations in his writ petition are likely to lower the prestige of this Court as the apex judicial institution. At one place in the writ petition, he has alleged :

Thus the working of the judges are cocktail based on Western Common Laws and American techniques, as such unproductive and outdated according to socio-economic conditions of the country.

At another place, the petitioner has stated that :

This Court has become a constitutional liability without having control over the illegal acts of the government... Thus the people for whom the Constitution is meant have now turned down their faces against it which is a disillusionment for fear that justice is a will-o'-the wisp.

Yet at another place the petitioner has stated that this Court is sleeping over the issues like Kumbhkarna. The reading of the writ petition gives the impression that it is clearly intended to denigrate this Court in the esteem of the people of India. We are of the prima facie view that the petition has been drawn up with a designed purpose of bringing the court into contempt (sic) and the petitioner is, therefore prima facie guilty of contempt.

3. The writ petition has been drafted in a careless manner. At several places the pleadings are meaningless. At several other places they are contradictory. The allegations are clumsy and several irrelevant facts have been put into the petition to inflate its size.

4. The petitioner has left out no institution from his attempt of mud-slinging. We have a feeling that while drawing up the petition the petitioner has considered himself to be the only blemishless person and everyone else including social institutions to be blameworthy. We are surprised that an advocate practicing in this Court with considerable experience has chosen to act in such an

irresponsible manner. The writ petition, in our opinion, therefore, deserves to be dismissed. We, accordingly, dismiss the writ petition.

5. We direct the registry to draw up an appropriate proceeding for contempt and issue notice to the petitioner calling upon him to show cause in person on November 9, 1987 as to why he may not be proceeded under the Contempt of Courts Act.

6. At page 41 of the petition, the petitioner has stated :

This is a public interest litigation in the interest of independence of judiciary and social justice....

We are of the view that the petition is an act against public interest. The petitioner has certainly overstepped the limit of self-restraint, so much necessary in a public interest litigation. We direct the registry not to entertain any application by way of public interest litigation by the petitioner in future.

</html