

# SUPREME COURT OF INDIA

State of Bihar & Ors.

Vs.

Nilmani Sahu & Ors.

C.A.No.13223-24 of 1996

(G.B. Pattanaik and Umesh C. Banerjee, JJ.)

13.05.1999

## JUDGMENT

**G.B. Pattanaik, J.**

1. These are applications by Sitting Judge of the Patna High Court who feels aggrieved by some observations made by this Court in disposing of a special leave petition arising out of a land acquisition proceedings. The State of Bihar is represented by Mr B.B. Singh. Mr Dipankar Gupta, learned Senior Counsel appearing for the applicant submits that the expression “we find that the view taken by the learned Single Judge, Justice P.K. Dev, with due respect, if we can say so, is most atrocious” casts stigma against the applicant and in fact it was not necessary for the decision. We need not go into the merits of the matter since that has reached finality. But having heard the learned counsel for the parties and considering the judgment of this Court, we think possibly the expression “we find that the view taken by the learned Single Judge, Justice P.K. Dev, with due respect, if we can say so, is most atrocious”, in the judgment is wholly inappropriate. When this Court uses an expression against the judgment of the High Court it must be in keeping with the dignity of the person concerned. Mr Singh, learned counsel appearing for the State of Bihar fairly stated that the expression “we find that the view taken by the learned Single Judge, Justice P.K. Dev, with due respect, if we can say so, is most atrocious” should be deleted. We, accordingly, direct that the expression “we find that the view taken by the learned Single Judge, Justice P.K. Dev, with due respect, if we can say so, is most atrocious” in para 6 of the judgment of this Court be deleted.

2. As are ordered accordingly.