

SUPREME COURT OF INDIA

Nafar Chandra Jute Mills Ltd.

Vs.

United Bank of India

(S.P. Bharucha, S. S. Quadri and N. S. Hegde JJ.)

31.08.2000

ORDER

1. When the matter reached hearing, we were informed by a learned advocate that Mr. P.S. Mishra was appearing for the appellant and that he was on his legs in another court, and he sought a pass over. We asked where the appellants advocate-on-record was. We were told that he was coming. So we waited, during which time the learned Solicitor General, appearing for the first respondent, gave us the facts. The same advocate who had said that the advocate-on-record was coming, now appeared again and said that the advocate-on-record, was taking medicines and was coming. It is because of that we continued to wait and the learned Solicitor General went on to read parts of the impugned judgment. About ten minutes later, Mr. Mishra and the advocate-on-record appeared. We asked Mr. Mishra where the advocate-on-record had been all this time and we were told that he had been instructing Mr. Mishra in the other court. We asked, therefore, whether the statement of the learned advocate that the advocate-on-record had been taking medicine, was correct. The answer was that it was not correct. We asked why the learned advocate had, then made such a statement. We were told that it might have been out of nervousness. Nervousness, in our view, would not bring to a junior advocate the thought of making the excuse of medicines. A false statement has been made to us to keep the matter going, till Counsel could appear, which we will not tolerate.
2. Mr. Mishra now states that he is appealing to our conscience. Our conscience dictates that the Court will not tolerate false statements made to it at the Bar, whether by a junior advocate or by anybody else. Mr. Mishra should know better than to refer to our conscience in these circumstances.
3. The civil appeal is dismissed.