

SUPREME COURT OF INDIA

Charanjit Singh

Vs.

R.C. Jain

S.L.P.(Crl.) No. of 2002

(S. Rajendra Babu and P. Venkatarama Reddi JJ.)

15.01.2003

ORDER

S. Rajendra Babu, J.

1. This is peculiar and extraordinary petition filed purportedly under Article 136 of the Constitution by a person who is bent upon denigrating the Judges of the Civil Court, the District Court and the High Court either for passing orders not to his liking in a civil suit and the writ petition preferred by him and the alleged inaction of the concerned Judges in initiating disciplinary and contempt proceedings against the Civil Judge who admitted the summary money suit filed against him. The language used in the SLP as well as in the writ petition filed in the High Court demonstrates the no-holds barred approach adopted by the petitioner is espousing his alleged grievances. The SLP as well as the written submissions given by the petitioner at the time of hearing contains nothing but a pack of wild, irresponsible and irrelevant allegation against the Judges of Civil and Criminal Courts, the then District Judge (impleaded as 1st respondent) and the learned Judges of High Court. The relief sought for by him in this SLP is to set aside the order dated 20.3.2002 in Criminal Writ Petition No. 216/2002 and to grant monetary relief for the alleged injustice done to him and to prosecute and punish the "justice agencies" named in the petition.

2. We have called for record of Crl. Writ No. 216/2002 from the High Court. In that writ petition, a former District and Sessions Judge in Delhi was impleaded as 1st respondent. From what could be culled out from the contents of that petition, it appears that the petitioner has a grievance against the Civil Judge for admitting the civil suit Nos. 319/96 which seems to be a summary suit for recovery of money. It appears from the impugned order of the High Court and the papers annexed to the said writ petition that it is a suit under Order XXXVII, CPC for recovery of Rs. 97,104/-. It is seen from the order of the High Court that the leave has been granted to the petitioner to defend himself in that suit. The stand in the writ petition, to put it in his own words is that "the Judge corruptly ignored the true facts of the suit and had used the other false facts of the suit as per his convenience to grant admission". By doing so, according to the petitioner, the learned Judge committed criminal misconduct in the discharge or official duties. He made a complaint to the then District and Sessions Judge

(who was impleaded as respondent No. 1) to take action against the Judge concerned who admitted the suit; but, instead of taking action, the District Judge in nexus with the Magistrate took action against him under Sections 107 and 111 Cr.P.C. for the alleged misbehaviour he committed in the Court premises. The petitioner further alleged in the writ petition that the District Judge shielded the Judicial Officers who have committed misconduct. Allegations have also been made against the Magistrate for not taking cognizance of the offence disclosed in a complaint given by him. He has also made omnibus allegations against the High Court Judges for not taking action on administrative side. Ultimately, he prayed for award of compensation of Rs. 10 crores and to punish the various judicial officers who either dealt with his matter or failed to act as per his complaint. Though, having regard to the nature and tenor of the petition, the same need not have been taken on file, the Delhi High Court was fair enough to call for the records of the suit probably in order to understand the exact grievance of the petitioner. Thereupon the following order was passed :-

"Suit for recovery seems to have been filed by one Smt. Asha Singh against the petitioner who is defendant therein. He was granted leave to defend the suit. On a review application, on 19th December, 2001, the Civil Judge, Delhi passed the following order :-

"In view of the aforesaid discussion, I do not find any sufficient ground for review of order dated 20th July, 1998 passed by Ld. Predecessor of this Court. Application of the plaintiff dated 12.7.1999 is accordingly dismissed.

The case be listed for framing of issues".

It is the grievance of the petitioner that for the last six years, the suit has not progressed with the result that he has suffered immensely.

In the circumstances of the case, we consider it appropriate to direct the Trial Court to expedite the hearing of the suit. The Trial Court should conclude the suit preferably by the end of this year.

The petitioner has made a claim for monetary compensation. On the facts of the case, it is not possible for us to grant any monetary compensation under Article 226 of the Constitution.

With the aforesaid direction, the petition is disposed of.

The trial Court record be sent back."

3. It is against this order, the present SLP has been filed by the petitioner as party in person. Nothing is demonstrated as to how and why the impugned order of the High Court is contrary to law or legally unsustainable. The genesis of the grievance seems to be the illegal admission of the suit filed under Order XXXVII. But, there is not a word in the petition filed

before this Court or the High Court as to how the entertainment of the suit and issue of suit summons is against law. The petitioner goes on saying without any basis and without furnishing any material that the admission of the suit itself was `corruptly manipulated'. He has not explained the basis on which he filed the review petition and not filed even a copy of the order passed by the Civil Judge in the review petition. As the petitioner has been granted leave to defend, it would have been open to him to contest the suit on merits, but, he goes off the track and indulges freely in imputations of malice and impropriety to various Judges in the Judicial hierarchy. The SLP is liable to be rejected in limine for filing pleadings of contemptuous, irrelevant and incoherent nature, without disclosing any question of law, much less substantial question of law to be decided by this Court. Accordingly, the SLP is rejected.

Petition dismissed.