

a Copy of the Orders Dated 6.2.2014 and Today Be Sent to the Vs. Unknown

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Court : Punjab and Haryana

Decided On : Feb-17-2014

Appellant : a Copy of the Orders Dated 6.2.2014 and Today Be Sent to the

Respondent : Unknown

Judgement :

CM-1678-2014 in CWP-2228-2014 .Jagmohan Singh Bhatti versus Panjab University, Chandigarh & others Present: Mr.Jagmohan Singh Bhatti, Advocate/Applicant in person .The writ petition was filed seeking quashing of the decision of the Syndicate dated 4.1.2014 resolving to give appointment to respondent No.3.

None of the material which was annexed to the petition really emanated from the petitioner, an Advocate appearing in person, but the notices issued by one Dr.

R.D.Anand, Advocate, formed the basis of the petition.

We had taken note of this fact while considering the matter on 6.2.2014, pointing out that one Dr.

Rajinder Kumar Singla and Dr.

R.D.Anand had been filing various petitions challenging the same appointment and findings had been rendered by the learned single Judge to the effect that there was no occasion to issue a writ of quo warranto, the appointment having

been made as per rules of the University and even the LPA filed against the same had been withdrawn with liberty to file PIL, which was also disposed of observing that only competent aggrieved party can approach the Court.

Despite that, yet another PIL had been filed by the petitioner/applicant only on the ground that he was a student of the same University.

It is obvious to the Court that the petitioner was a name lender and the petition was an abuse of the process of the Court.

We reflected this fact in our order even though, after arguments, the petitioner sought to withdraw the petition because we were of the view that such endeavours cannot be permitted.

Now the present application has been filed seeking recall of the order passed earlier predicated on the plea that the Chief Justice of the High Court is an ex-officio fellow of the Senate, which takes the Chand Parkash 2014.02.17 16:44 I attest to the accuracy and integrity of this document CM-1678-2014 in CWP-2228-2014 -2- decisions.

The fact, however, remains that the nature and status is only ex-officio and the Chief Justice does not attend such meetings or participate in any decision making process nor one of us (Sanjay Kishan Kaul, C.J.) ever participated in any meeting of the Senate whatsoever because various matters emanating from the University are listed before this Court.

The petitioner having withdrawn the petition is now seeking this route to get a rehearing in the matter, something completely impermissible.

The attempt obviously is, having made such allegations, that there would be an endeavour of recusal of the matter for rehearing before another Bench even though the petition has been dismissed as withdrawn.

We are of the view that such tactics cannot be permitted.

We are also of the view that lending ones name to such litigations does not fall within the domain of the professional licence issued to an Advocate for performing

his task as a counsel.

As to whether this amounts to a professional misconduct or not is for the Bar Council to consider.

We dismiss the application with costs of `10,000/-, to be deposited with the High Court Mediation Centre within 10 days from today, having found the same to be an endeavour to abuse the process of the Court.

A copy of the orders dated 6.2.2014 & today be sent to the Bar Council where the applicant/petitioner is registered.

(SANJAY KISHAN KAUL) CHIEF JUSTICE 1702.2014 (ARUN PALLI) parkash*
JUDGE Chand Parkash 2014.02.17 16:44 I attest to the accuracy and integrity of
this document

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