

Mohd. Akhtar Vs. Ashok Singhal

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Court : Allahabad

Decided On : Feb-23-2000

Reported in : 2000CriLJ3885

Judge : Binod Kumar Roy and ; Lakshmi Bihari, JJ.

Acts : [Contempt of Courts Act, 1971](#) - Sections 14; [Constitution of India](#) - Article 215

Appeal No. : Criminal Contempt No. 548 of 1997

Appellant : Mohd. Akhtar

Respondent : Ashok Singhal

Advocate for Pet/Ap. : Party-in-Person and ;and R. Singh, Adv.

Disposition : Application dismissed

Judgement :

ORDER

1. The Office has put up this Civil Misc. Contempt Application, though wrongly thinking that it is a Tied Up/Part Head matter of one of us (Binod Kumar Roy, J.).
2. Be that as it may, since this case has been placed before our Bench vide the list published under the Authority of the Hon'ble Chief Justice, we proceed to consider it.

3. With reference to the News Items published in an English Daily Newspaper, Northern India Patrika, 18th June, 1998 as contained in Annexure 2, and a Hindi Newspaper, Dainik Jagran, 24th January, 2000, as contained in Annexure 1 and extracted in paragraphs 5, 9 and 2 and 10 of his affidavit, the applicant/informant Mohd. Akhtar Chooriwala, who appears in person, comes up with a prayer to initiate proceedings in competent under Article 215 of the [Constitution of India](#) read with Section 14 of the [Contempt of Courts Act, 1971](#), against Ashok Singhal, the Working President of the Vishwa Hindu Parishad whose alleged statements have been reported to in the aforementioned Newspapers, which according to him are scandalous, apart from having been made ignoring the Judgment and Order dated 7-11-1997 passed by that Division Bench of which one of us (Binod Kumar Roy, J.) was the Presiding Judge holding him earlier guilty for his scandalous statements made against the judiciary, though admonished with a hope and trust that in future he will forbear in making such attacks on judiciary.

4. Heard him. Gone through the alleged statements said to have been made by Ashok Singhal on 17th June, 1998 i.e. to say more than 1 1/2 years ago. It appears that a hypothetical question was raised with ifs and buts. The Constitution does provide for impeachment of Judges who man the Judiciary and it shows utter ignorance to the provisions of Constitution by the Maker. The Saints/Sants have not been vested any power to punish the Judiciary. Besides the Courts are not supersensitive. Every statement made by any Tom, Dick and Harry is not required to be taken cognizance of. If in fact one or the other tries to scandalise the administration of justice of this Court or our subordinate Courts then it goes without saying that this Court will deal with such a person with heavy hands.

5. We have gone through the other statements made on 23rd January, 2000. In our view it was the politicians who have been blamed and not the Judiciary of Uttar Pradesh, which includes our Court. It shows that the statement made earlier on 17th June, 1998 has been changed by the maker. We do not find that in fact the judiciary has been scandalised.

6. We are surprised to find a suggestion of the applicant not to take a lenient view in the backdrop of the awarding sentences in four cases referred to in Paragraph

10 of the affidavit of the applicant.

7. This application is thus hereby dismissed.

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