

ITEM NO.33

COURT NO.4

SECTION IVA

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C).....CC No(s).
8004/2016

(Arising out of impugned final judgment and order dated 10/08/2015
in WPC No. 7513/2015 passed by the High Court of M.P. at Jabalpur)

V.K. NASWA

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS

Respondent(s)

(with c/delay in filing SLP and c/delay in refiling SLP and
permission to appear and argue in person and interim relief and
office report)

Date : 18/07/2016 These applications were called on for hearing
today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s) Petitioner-in-person AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

Heard Mr. V.K. Naswa in-person.

This special leave petition is directed against the order
dated 10.08.2015 passed by the Division Bench of the High Court of
Madhya Pradesh in W.P. No.7513 of 2015 (PIL) whereby it has
declined to exercise jurisdiction under Article 226 of the
Constitution of India to pass any kind of order pertaining to
misuse of the award 'Bharat Ratna' by the Respondent No.2.

On a perusal of the order passed by the High Court, we find that there are no statutory provisions, rules and regulations which deal with the allegations that have been made against the respondent No.2. Be it noted, the petitioner has highlighted two grievances, namely, certain authors have written books describing the respondent No.2 as '*Bharat Ratna*' and also titled the book in that manner; and second, he has been participating in certain commercial activities.

In our considered opinion, what the petitioner intends to contend is that in the realm of regulation of conduct of an awardee which, we are disposed to think, cannot be gone into by this Court in the absence of any statutory provision. Had the respondent No.2 written a book by using the words '*Bharat Ratna*' as a 'prefix' or 'suffix', the matter would have been different. When a third party writes a book, we have no hesitation in our mind that the respondent No.2 cannot be held responsible.

In view of the aforesaid analysis, we do not perceive any merit in the special leave petition and it is accordingly dismissed.

(Gulshan Kumar Arora)
Court Master

(H.S. Parasher)
Court Master