

ITEM NO.40

COURT NO.2

SECTION IV-C

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) No(s). 18820/2022

(Arising out of impugned final judgment and order dated 05-08-2022 in WA No. 844/2022 passed by the High Court Of M.p Principal Seat At Jabalpur)

MUNICIPAL COUNCIL TIKAMGARH

Petitioner(s)

VERSUS

MATSYA UDYOG SAHKARI SAMITI &amp; ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.159871/2022-EXEMPTION FROM FILING O.T. )

WITH

SMC(Crl) No. 3/2022 (XVII)

Date : 05-12-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) By Courts Motion, AOR

Mr. Vikas Singh, Sr. Adv.  
Mr. R. Bala, Sr. Adv.  
Mr. Manoj Kumar Mishra, Adv.  
Mr. S. Janani, Adv.

Mr. M.L. Sharma, Adv.  
Mr. Deepak Goel, AOR

Mr. Siddharth R. Gupta, Adv.  
Mr. Mrigank K Prabhakar, AOR  
Ms. Sakshi Banga, Adv.  
Mr. Anubhav Pandey, Adv.  
Mr. Harsh Dubey, Adv.

Mr. Siddharth R. Gupta, Adv.  
Mr. Mrigank K Prabhakar, AOR  
Ms. Sakshi Banga, Adv.

For Respondent(s)

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

We have perused the affidavit in reply to the suo moto contempt petition filed by Mr. Vijay Singh, Assistant Accountant through Mr. Mrigank Prabhar, learned counsel, who has deposed in support of the petition. It is stated by him that his knowledge and exposure to the English language is limited considering the background from where he comes. He further averred in para 8 that insofar as pleadings relating to the imputation of motives on the High Court were concerned, though the contemnor cannot plead ignorance, he was briefed by the office of Mr. M.L. Sharma, Advocate seeking to inform him that this was based on some judgment of this Court and he was not in a position to question the same.

Learned counsel appearing for him further states that an appropriate application will be filed seeking deletions of the objectionable paragraphs. He has submitted an unconditional apology arising from the portions found offensive by this Court which has given rise to the suo moto contempt petition. Let him file an appropriate application.

An affidavit has also been filed by Mr. Deepak Goel, AOR. While apologizing he submits

that it happened inadvertently. We find it little difficult to accept the reason as there is responsibility on Advocate-on-Record before penning down his signatures. Mr. M.L. Sharma has drawn the petition and it was his bounden duty to have verified the complete petition before performing the task of what has been filed under his signatures. This is not only a learning experience for him but for other AORs who may tend to pen down signatures without reading what they are filing.

We thus caution him to be careful in future looking to the responsibility of an AOR.

He may file an appropriate application as the deponent in support of the petition seeks to make.

Mr. M.L. Sharma, prays for need to file additional affidavit and he may do the needful within a week.

List in the reopening week in the month of January, 2023.

[CHARANJEET KAUR]  
ASTT. REGISTRAR-cum-PS

[POONAM VAID]  
COURT MASTER (NSH)