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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.C.REF. 3/2010

IN THE MATTER OF:
COURT ON ITS OWN MOTION

and

In Re.:

Contempt reference against Neeru Chawla as per order dated 05.08.2010 passed by Shri Sonu Agnihotri, Metropolitan Magistrate, Delhi.

Counsel: Mr. Ajay Verma, Amicus Curiae.
Respondent/Contemnor in person.

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG
HON'BLE MR. JUSTICE S.P.GARG

ORDER
15.11.2011

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1. CC No.11248/09 was listed for pre-charge evidence, when a dialogue took place between Neeru Chawla and the learned Metropolitan Magistrate.
2. What transpired in Court has been penned by the learned Magistrate in the order dated 05.08.2010.
3. It appears that Neeru Chawla made some inchoate submissions which were intermingled with certain grievances she had pertaining to the manner in which the complaint filed by her was being prosecuted and the learned Magistrate has attempted to reproduce the same verbatim; giving an impression as if the order is inchoate.

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Signature Not Verified

Signing Date:13.08.2024 17:08:35
Certify that the digital and physical file have
been compared and the digital data is as per
the physical file and no page is missing.

4. Having perused the reference order dated 05.08.2010, it emerges that the proceedings continued till 7.35 pm, evidenced by the fact that Neeru Chawla's signatures on the order record the time as 7.35 pm.

5. The order records that the case was taken up at 3.30 pm.

6. The order records the grievance, in the inchoate words of Neeru Chawla, pertaining to the manner in which various cases filed by her against her husband Anil Chawla have been dealt with at different levels. Wherever she got favorable verdicts, she praised the Judge and wherever the verdict was not favourable to her, she had accusations against those who had decided against.

7. We have heard Neeru Chawla who appears in person, and in an inchoate manner, she has tried to explain to us her grievances pertaining to the manner in which judicial orders have been passed, and in respect whereof we can do nothing in contempt jurisdiction in as much as law requires Neeru Chawla to avail remedies available to her as per law.

8. Neeru Chawla has been abandoned by her husband and amongst others, one grievance raised by her is that the meager monthly maintenance fixed for her and her minor child is not being paid by her husband and the learned Metropolitan Magistrates are doing nothing. Her grievance also pertains to a complaint lodged by her with the police for alleged offences under Sections 498A/406/34 IPC statelty committed by her husband and her mother-in-law. As we could understand, probably no action was taken by the police and this compelled

her to file a private complaint registered as CC No. 11248/09.

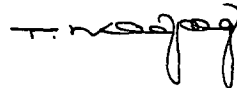
9. We find no malice in the attitude of Neeru Chawla and we do not think that she has tried to malign any Judge. It is just that, while laying bare her grievances, she is unable to use expressions which an ordinary person would use and one probable reason could be the language handicap i.e., court proceedings being conducted in English and the second obviously would be the mental trauma of a distraught woman who has not only been abandoned by her husband but is not receiving any maintenance for her and her child, in spite of order being passed.

10. Such a person has to be an object of compassion, patient hearing and not contempt.

11. Advising the learned Metropolitan Magistrate to be circumspect while dealing with litigants who come from a humble strata of the society and conscious of the fact that docket explosions, especially in the courts of learned Metropolitan Magistrates compels them not to waste time on unnecessary verbose arguments, but requiring patience qua those who feel that the judicial system is not reaching out to them, we dispose of the reference by discharging the notice issued to Neeru Chawla.

12. We have advised Neeru Chawla not to lose her patience and be considerate to the young learned Judges who would be dealing with her case and have made her understand that the volume of daily workload with a learned Magistrate leaves not

much time for emotional grievances to be redressed and thus she should engage services of a legal aid lawyer. We discharge the contempt notice.



PRADEEP NANDRAJOG, J.



S.P. GARG, J.

NOVEMBER 15, 2011
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