

26

\$~

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CONT.CAS(C) 755/2015

DHIRAJ JAIN

..... Petitioner

Through: Petitioner in person.

versus

ARUNENDRA KUMAR & ORS

..... Respondents

Through: Mr. Jagjit Singh, Advocate.

%

Date of Decision : 18th December, 2015

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

J U D G M E N T

MANMOHAN, J: (Oral)

Review Pet. 602/2015 & CM Appl. 31099/2015 in Cont.Cas(C) 755/2015

1. Present contempt petition had been filed alleging contempt by the Members of the Central Administrative Tribunal as they had failed to discharge their duties inasmuch as they had failed to pass a reasoned order on 14th July, 2014.
2. In the petition, it was averred that Members of the Central Administrative Tribunal verbally abused the petitioner and did not permit him to present his case on 25th February, 2014.
3. In fact, the contempt case which read like a writ petition contained not only accusation against the petitioner's own previous counsel but also an

attempt to challenge the earlier Division Bench's order dated 09th September, 2010.

4. On 28th September, 2015, petitioner who appeared in person withdrew the contempt petition with liberty to file appropriate proceedings in accordance with law.

5. After a gap of nearly three months, present review petition has been filed along with an application for condonation of delay stating that petitioner had never agreed to withdraw his case and he had not been allowed to argue his petition. He also states that he felt embarrassed in Court as the counsel sitting in Court had repeatedly laughed at him.

6. Mr. Jagjit Singh, learned counsel for respondent states that the allegations in the present application are patently untrue. He states that false averments have been made in the application and strict action must be taken against the petitioner as otherwise it would be very difficult to curb frivolous litigations.

7. In the opinion of this Court, the averments in the application are blatantly untrue. It seems that the petitioner is in the habit of making accusation against all adjudicating authorities.

8. Since the allegation against the Tribunal Members and this Court are virtually identical, this Court has no doubt that petitioner lives in a 'make-believe world'.

9. There is also an apparent contradiction in what the petitioner states. If this Court had coerced the petitioner to withdraw his contempt petition, then it is not understood as to why he had to wait for a month to apply for a certified copy and why did he file the present petition after nearly three months. Moreover, if the court had coerced the petitioner to withdraw the

contempt petition, there is no question of any of the lawyers in Court having laughed at him.

10. As an aspersion has been cast not only against this Court, but against the Members of Central Administrative Tribunal as well as the petitioner's own previous counsel and the Division Bench that had dealt with the petitioner's case, the present review petition and application are dismissed with cost of Rs.15,000/- which is directed to be recovered from the petitioner's salary and deposited with the Prime Minister's Relief Fund.

11. Registry is directed to open a separate file under Article 215 of the Constitution of India against the petitioner. In that file, present order as well as the photocopy of the present paper book shall be placed on record.

12. Issue notice of the proceedings under Article 215 of the Constitution of India to the petitioner.

13. Petitioner is directed to file a reply as to why a strict action under Article 215 of the Constitution of India be not been taken against him.

14. Let a copy of this order be placed in all the proceedings filed or to be filed by the petitioner as well as by the respondent.

15. This Court is of the view that if it does not curb the tendency of the litigants lying in Court, it would be very difficult to dispense justice.

List on 27th January, 2016.

Order dasti under the signature of Court Master to petitioner and counsel for respondent.

MANMOHAN, J

DECEMBER 18, 2015

js