

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

COCP No.666 of 2016

Date of Decision.19.05.2016

Harmeet Singh

.....Petitioner

Vs.

Sh. Jaapinder Singh, Additional Civil Judge (Senior Division), Jagraon and
others

.....Respondents

Present: Mr. Sanjeev Sharma, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. An utterly impertinent petitioner is before this Court complaining of contempt as having been committed by the District Judge, Ludhiana and all other officers that a proceeding for conducting enquiry ordered by this Court in Division Bench and proceedings by criminal contempt have not been concluded within time and therefore, that constitutes contempt. The further allegation is that the complaint against the petitioner is that he has uploaded some material in YouTube which is the cause of departmental action. According to the petitioner, uploading any material in YouTube is a fundamental right as pronounced by the Supreme Court and initiation of departmental action itself ought to be taken as constituting contempt of court.

2. I find both the assertions made by the petitioner to be wholly erroneous. If any enquiry is not conducted within time as per the

direction given by this court, it will be open by the petitioner to approach the Division Bench which is reported to have initiated the proceedings to be taken by the District Judge and to complain that the time fixed by the Court has not been complied with. If the enquiry is not concluded within time, it will give an occasion to the petitioner to approach the very same court which has issued the direction for appropriate orders and cannot afford a ground for complaining contempt through a separate petition. Equally, a judgment of the Supreme Court to which the petitioner himself is not a party ought not to be understood as making possible for any citizen of India to complain that judgment of the Supreme Court is not followed correctly and therefore, that ought to be taken as constituting contempt. If a departmental action initiated against the petitioner is erroneous or is without jurisdiction, the remedy for the petitioner will be to complain of such action as not tenable in law and have it quashed in the manner known to law or state in defence about the impermissibility of departmental action before the very same authority. A complaint of contempt against the judicial officers in the manner it is canvassed by this petition is an abuse of process.

3. The contempt petition is dismissed with the above observations. I spare the petitioner of costs only on the ground that he may be completely misguided by an undue exuberance and a poor understanding of law of a person that advises him erroneously.

(K. KANNAN)
JUDGE

May 19, 2016
Pankaj*