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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 7000/2018

DR MOHINDER KUMAR Petitioner
Through Petitioner in person.

versus

DELHI HIGH COURT THROUGH ITS REGISTRAR GENERAL
..... Respondent
Through Mr. Rajshekhar Rao and
Mr.Chaitanya Puri, Advts.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

% **09.07.2018**

Petitioner is aggrieved by the intimation received from the Delhi High Court to his application for initiating criminal proceedings against judicial officer. The allegation levelled against the judicial officer was that without notice to one of the material party, early listing of the case was scheduled for 10.05.2018 and continuing the existing interim order, amounts to tampering with judicial records and was therefore, a prosecutable offence. Besides, other allegation is that the concerned judicial officer was prejudiced and had allegedly not taken on record copies of binding judgments and the written arguments nor considered them in the order. The basic grievance is that an application under Section 197 Cr.P.C. was rejected by an unreasoned order.

This Court has considered the submissions of the petitioner. It would be simplicitor – given the nature of the material presented, to reject the contention that the order in this case is arbitrary. The allegations that the concerned judicial officer did not take into account the materials such as written arguments or binding judgments while continuing the order or that the judicial officer did not issue notice to one of the parties in order to extend a previously existing order, in the opinion of the Court, are not such as to constitute offence. If the petitioner had a genuine grievance, it was for him to articulate it before the appellate authority or revisional court. The allegation that the concerned judge by calling for the record on an application moved by the party tampered with it, is *ex facie* untenable. In these circumstances, no direction is called for.

The writ petition is dismissed as unmerited.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

JULY 09, 2018

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