

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No. 215

Case No. : CROCP No. 6 of 2019

Date of Decision : December 03, 2019

Court on its own motion

.... Petitioner

vs.

Dev Raj Sharma

.... Respondent

**CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY.  
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA.**

\* \* \*

Present : Mr. Yogesh Goel, Advocate  
for the contemner-respondent  
with Mr. Dev Raj Sharma, respondent in person.

\* \* \*

**MEENAKSHI I. MEHTA, J. :**

This Criminal Original Contempt Petition has its genesis in the reference made by Ms. Shivani Garg, Civil Judge (Junior Division), Ludhiana and duly forwarded by learned District and Sessions Judge, Ludhiana qua the unsavory and unbecoming conduct of contemner Shri Dev Raj Sharma, in the Court.

Shorn and short of unnecessary details, the facts, as set forth by the said Civil Judge (Junior Division), Ludhiana in the reference, are that on 16.11.2018, while she was conducting proceedings in the case titled as "***Tej Kaur vs. Gurmeet Kaur***" in her Court, the contemner, who happens to be the decree-holder in the Execution Petition titled as "***Dev Raj Sharma vs.***

Court room asking the Court to take up his aforesaid Execution Petition which was actually fixed for hearing on the previous day, i.e. 15.11.2018. He uttered derogatory words against the said Judicial Officer casting aspersions on her competence and integrity and also threatened her. Thus, he created a ruckus in the Court thereby, obstructing the judicial proceedings as being carried out at that time.

Notice of motion was issued for 11.04.2019 and the contemner put in appearance in the Court along with his counsel and filed reply in the form of an affidavit wherein he has deposed that he has utmost regard for the orders passed by the Court and throughout during his career as a practising Advocate since 1970 in the District Courts, Ludhiana, there has not been any such complaint against him from any quarter and the incident under reference is the result of some communication gap while addressing learned Trial Court and has also deposed therein that he is eighty (80) years old and is suffering from several ailments and he tenders unconditional apology to this Court as well as to the Reference Court.

On 19.10.2019, an additional affidavit of the contemner was placed on the file wherein he again tendered his unconditional apology to this Court as well as to the Reference Court and undertook not to repeat such act.

Today also, during the course of hearing of this petition, the contemner has placed another affidavit on the file deposing therein that he tenders his unconditional apology qua the misbehaviour on his part and the derogatory language as used by him in the Court and undertakes that he will

not repeat such misconduct in future.

After giving our careful thought to the depositions as made by the contemner in his above-referred affidavits regarding his being eighty (80) years old and suffering from several old-age related ailments and there being no such complaint against him from any quarter during his entire career as a practising Advocate since 1970, coupled with the fact that he has tendered an unconditional apology for his derogatory utterances and misbehaviour in the Reference Court, we are of the considered opinion that it would be in the fitness of the things to discharge him in the present case.

Ordered accordingly.

However, the Bar Council of Punjab and Haryana will monitor the conduct of the respondent-contemner for a period of one year. In case, any such incident recurs or the respondent fails to comply with his afore said undertaking, the necessary action regarding cancellation of his license be initiated.

A copy of this order be sent to the Chairman, Bar Council of Punjab and Haryana.

(DAYA CHAUDHARY )  
JUDGE

(MEENAKSHI I. MEHTA)  
JUDGE

December 03, 2019  
*monika*

|                             |         |
|-----------------------------|---------|
| Whether speaking/reasoned ? | Yes/No. |
| Whether reportable ?        | Yes/No. |