



2025:DHC:10909-DB



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

% Judgment reserved on: 01.12.2025
Judgment delivered on: 05.12.2025

+ LPA 717/2025 & CM APPLs 74060-74063/2025

SUBHAJIT DUTTA

.....Appellant

versus

THE STATE NCT OF DELHI AND OTHERS

.....Respondents

Advocates who appeared in this case:

For the Appellant: Mr. M.A. Niyazi, *Amicus Curiae*.
Appellant in person.

For the Respondents: None

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

J U D G M E N T

TUSHAR RAO GEDELA, J.

1. The present Letters Patent Appeal has been filed assailing the orders dated 28.10.2025 and 03.11.2025 (hereinafter referred to as the “*impugned orders*”) passed by the learned Single Judge in W.P.(CrI) 3258/2025 titled as “*Subhajit Dutta vs. The State NCT of Delhi & Ors.*”, whereby the learned Single Judge dismissed the appellant’s petition as well as the application seeking recall of the order dated 28.10.2025, holding both to be devoid of merit.

2. The appellant in person addressed the Court at the admission stage on 26.11.2025, however, we found that he was unable to correctly collate the facts, and was incomprehensible and inchoate as to the nature of the dispute as also the

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reliefs sought, which had also been pertinently noted by the learned Single Judge in the impugned order.

3. Finding unable to comprehend the grievances, we requested Mr. M.A. Niyazi, a practicing lawyer of this Court, to assist us on behalf of the appellant, and accordingly the matter was posted for the final hearing.

4. Mr. Niyazi, learned Amicus Curiae, after having interacted with the appellant, made an effort to explain the case of the appellant and offered two suggestions:

a) since the appellant had filed a composite writ petition and the present appeal containing elements of criminal law, civil grievances and reliefs, as well as issues relating to service/employment matters, he may be permitted to avail of separate remedies in each of the three branches of law; and

b) the appellant's primary concern is that his actual grievance has not been placed before the Court, and therefore, he may be heard before the present appeal is disposed of.

5. As suggested by the learned Amicus Curiae, this Court acceded to hearing the appellant.

6. The appellant claimed that he is working in a Constitutional capacity and has already been identified as a "*public servant/public officer*" being a "Special Constitutional Functionary with the Union of India" by the office of the Hon'ble President of India. To buttress his submission, he relied upon the communication issued by the President Secretariat's at page 295 of the underlying writ petition (crl.), which is extracted hereunder:

"PRESIDENT'S SECRETARIAT
(RASHTRAPATI SACHIVALAYA)



Dy No.E-832009 & 834941/2020-CA(1)

Communication(s) addresses to The President have been received from the following are forwarded herewith:-

Sl. No	Name/Address/Dated	Subject
1.	Communication dated 10/09/2020 from, Shri Chandra Prakash Kaushik, National President, (Akhil Bharat Hindu Mahasabha),, Hindu Mahasabha Bhawan, Mandir Marg, New Delhi – 110001, Phone Nos: 011-23365138, 23365354, E-mail ID: info@akhilbharathindumahasabha.org	Request to impose President's Rule in Maharashtra after dismissal of Maharashtra Government.
2.	Communication dated 01/09/2020 from, Shri Subhajit Dutta, Special Constitutional Functionary (Ref. Union of India), At & Post Office: Kendur, PS: Khandaghosh Dist: Burdwan (East)- 713427, Mobile No: 8860993200, E-mail ID: splcoifunctionary@gmail.com	Request for prompt proclamation of 'state emergency', i.e., imposition of 'President's Rule' in West Bengal by most effective and timely invocation of Article 365 of the Constitution of India aided by the "or otherwise" provision of its Article 365(1) and other related constitutional provisions and aspects, including its landmark 'Basic Structure' doctrine.

(Pawan Kumar Sain)

Director

Tel: (011) 23016767, 23015321 Extn. (4444)

Fax No: (011) 23793889

Ministry of Home Affairs, [Shri Anuj Sharma, Joint Secretary (CS)]

Room No.122, North Block, New Delhi.

President's Secretariat I.D. No. 5(3)-CA-(I)/2018 Vol:VI dated 28.09.2020"

7. He further submitted that he has been discharging public duties within the meaning of Section 2(b) and Section 2(c)(viii) of the Prevention of Corruption Act, 1988, as well as Section 21 of the Indian Penal Code, 1860.

8. The appellant further submitted that the certain subordinates of the respondent no.2/Commissioner of Police, Delhi forcibly kidnapped the appellant from the Paharganj Side of the New Delhi Railway Station for ransom, and also committed dacoity of all his valuables, and threatened to kill him, all without

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showing any documents or stating any reason. Thereafter, he was produced before the learned court of the respondent no.4/Judicial Magistrate First Class, South Delhi, Saket, without legal aid, without proper hearing and without examination of his credentials, and was remanded to the judicial custody, following which he was sent to Tihar Jail. He also submitted that after his release from the Tihar Jail, he was again kidnapped from the same location when he had gone to report the incident at the New Delhi Police Station. He submitted that from 24.04.2025, he has filed several formal complaints before the SHO, New Delhi Police Station.

9. He also submitted that on 17.12.2024, he requested the higher authorities of the respondent no.10/Election Commission of India not to declare the then State Assembly Elections in the NCT of Delhi, as his request for imposition of President's Rule and the Constitutional procedures for declaring a "Financial Emergency" was still pending. He further submitted that on 22.05.2025, the officer concerned from the President's Secretariat forwarded his comprehensive report to respondent no.7/Ministry of Home Affairs for further action regarding his request for the imposition of the "National Emergency" with a "Financial Emergency" across India in view of the Pahalgam incident and "Operation Sindoor".

10. To conclude his arguments, he submitted that the appellant has been continuously targeted since the time of his very first complaint, and has been "used and thrown" by the respondents and the subordinate officers. He also submitted that there have been ongoing crimes, and criminal conspiracies committed by the respondents against the appellant, along with unconstitutional abuse of power, resulting in a constant threat to his overall existence.



11. We have heard the appellant and perused the documents placed on record. Having heard the appellant for over 45 minutes, this Court is unable to comprehend the case of the appellant as the appellant was not able to connect the contentions to the facts and reliefs sought. The submissions were interspersed with incoherent, disjointed and disconnected events.

12. It may be apposite to reproduce the reliefs prayed for by the appellant in the instant appeal as also in the underlying writ petition (crl.) which are extracted hereunder:

LPA 717/2025:

“(a) Allow the instant appeal and set aside the instant the impugned order dated, 03.11.2025 passed by the Ld. Single Judge of the High Court of Delhi in its W. P. (Crl.) No. 3258 of 2025, read with the connected previous impugned order dated, 28.10.2025 passed by the same Ld. Single Judge in the same above-said Writ Petition.

(b) Pass speaking order for change of bench for instant, most urgent, fresh, just, fair, unbiased, prejudice-free, transparent and propitious hearing of the Writ Petition (Criminal) No. 3258 of 2025 of the High Court of Delhi by an appropriate bench without the above-said Ld. Single Judge being a member at all of the same changed bench.

(c) Put the very badly required instant stay upon all the further proceedings of the Ld. Court of the Respondent No. 5 in and out of such Ld. Court's EX/154/2025 too till the disposal of the above said W.P.(Crl.) No. 3258 of 2025 so that the above-sought changed bench can/may comprehensively adjudicate now smoothly upon the above-said Writ Petition to pass speaking orders upon all the concerned prayers of the same for the sake of speediest, long awaited, true and comprehensive justice with fairness of the appellant-in-person as the petitioner in-person therein.

(d) Pass any other order or orders, as this Hon'ble Court may deem fit and proper in the circumstances of the case for the ends of justice with juridical propriety.”

W.P(CRL.) 3258/2025

“I. At once invoke Article 226 of the Constitution of India read with any other appropriate constitutional and or statutory provisions like, Section 528 of the BNSS, 2023 to pass Writ in the nature of certiorarified mandamus upon



respondent no. 11 by first calling for all the connected records already kept with his/her office with regard to the self-explanatory email request, dated 22.09.2025 (around 05:38 p.m. or thereafter) made before him by the petitioner in-person in connection with the forwarding by Mr. Satyam Srivastava, concerned Under Secretary(AVD-II Section) of the Department of Personnel And Training, Ministry of Personnel, Public Grievances and Pensions, Government of India, New Delhi to the respondent no. 11 for appropriate action upon the copy of the petitioner in-person's grievance petition dated 20.08.2025 vide ID No. 270/72/2025-AVD-II (dated 08.09.2025) of the office of such above-said Under Secretary and subsequently, vide any other writ too, as this Hon'ble Court deems fit and proper, for passing direction upon respondent no. 11 to at once register a formal First Information Report(F.I.R.) under him/her and or with his/her office in favour of the petitioner in- person upon the entire events and all related incidents concerned happening around and against him so far and till date for its thorough investigation by the respondent no.11 towards truth and its logical conclusion.

II. At once invoke Article 226 of the Constitution of India read with any other appropriate Constitutional and or statutory provisions concerned like, Section 528 of the BNSS, 2025 to pass writ directions in the nature of certiorarified mandamus upon the respondent no. 09 by first calling for all related records kept with his office with regard to the forwarding to him (i.e., his official email id) by the petitioner in-person of a self- explanatory e-mail request with reminder (dated 19.09.2025, around 08:48 p. m. or thereafter) and subsequently, for passing direction vide any other writ too, as this Hon'ble Court deems fit and proper, upon him to formally initiate all necessary actions upon the same, along with successfully taking all related necessary further actions visibly ensuring everything required for the permanent service of the petitioner as Union of India's 'Special Constitutional Functionary\with its fixed terms and conditions, office and authority, protocols and practices, prompt and time bound payments and disbursements of fittest formal salaries, perks, allowances, fittest compensations, damages, defamation charges etc. with formally looking after his safety, security and social welfare round the clock vide most competent central government authorities and agencies concerned henceforth.

III. At once invoke Article 226 and 227 of the Constitution of India read with any other appropriate constitutional and or statutory provisions concerned like, Section 528 of the BNSS, 2025 to issue writ of certiorarified mandamus and upon the respondent no. 06 by first calling for all related records of such respondent's General Branch Office Letter No./Memo. No.3508/Genl./SD /2025 dated, 22.08.2025 read with the connected self-explanatory email request dated 13.09.2025 with further necessary forwarding on 18.09.2025 by the petitioner to such respondent only and subsequently, for passing appropriate direction(s) of ad-interim ex-parte stay upon or against such



unlawful and unconstitutional proceedings and subsequent quashing of the same, vide any other writ too, as this Hon'ble Court deems fit and proper, including writ of prohibition and or quo warranto, upon such respondent to promptly act upon the above-said

IV. At once invoke Articles 226 and 227 of the Constitution of India read with any other appropriate constitutional and or statutory provisions concerned like, Section 528 of the BNSS, 2025 to issue writ of certiorarified mandamus upon respondent no. 03 for first calling for the records with respective last orders dated, 03.09.2025 both of C. C. No. 629/2021 and C. C. No. 142/2024 both being pending right now at the instance of the petitioner in-person as the Complainant In Person therein and subsequently for passing further orders for most immediate ad-interim ex-parte stay of/against both of those and any other order or orders vide prohibition and or any other writ, as this Hon'ble Court deems fit and proper upon such respondent with regard to both of those above-said C. C. No. pending at the instance of the Petitioner In-Person before such learned lower Court concerned as the very Complainant In-Person therein.

V. At once invoke Articles 226 and 227 of the Constitution of India read with any other appropriate constitutional and or statutory provisions concerned like, Section 528 of the BNSS, 2023 to issue writ of certiorarified mandamus upon respondent no. 05 by first calling for the entire records of the Misc. SCJ No. 71/2024 of such respondent's Id. Court with its last orders dated, 15.09.2025 and subsequently by passing orders of ad-interim ex-parte stay upon/against all connected proceedings with ultimately quashing the entire unlawful, unconstitutional and extra jurisdictional proceedings so far and till date out of and in connection with the same vide any other appropriate writ like, prohibition and or quo warranto and or any other writ, as this Hon'ble Court may deem fit and proper for the ends of true justice of the petitioner in person.

VI. Pass any other order or orders, as this Hon'ble Court may deem fit and proper for the sake of long-pending comprehensive justice of all petitioner in-person with fairness and judicial propriety."

13. The prayers as extracted above encompass different fields of law bundled together as one, in that, the elements of service jurisprudence, proceedings under criminal procedure and civil disputes have been put together as a bouquet, which is impermissible in law. The suggestion of permitting the appellant to avail of different remedies before the authorities as put across by the learned Amicus was not acceptable to the appellant. There appears to be more history to the



appellant. A learned Single Judge of this Court *vide* order dated 18.09.2024 in another W.P.(C) No.17187/2022 filed by the appellant had succinctly brought out the situation that the appellant is in, and it would be worthwhile to examine the same. The relevant portions are extracted hereunder:

“6. Although, no decisive order was passed by the Court on 21st November, 2023, yet the Petitioner filed an appeal against the said order, which was also dismissed in LPA No. 789/2023 in the following terms:

“C.M.No.62849-62850/2023

1. Exemption allowed, subject to all just exceptions.

2. Accordingly, the applications stand disposed of.

LPA 789/2023 & C.M.Nos.62848/2023, 62851/2023

3. Present appeal has been filed by the appellant in person challenging the order dated 21st November, 2023 passed by a learned Single Judge of this Court in W.P.(C) No.17187/2022, whereby time was provided to the appellant to decide whether he wanted to pursue the said writ petition or the review petition filed by him against the order dated 30th August, 2022 passed by the Senior Civil Judge, Saket.

4. The appellant-in-person states that the withdrawal of the review petition pending before the Court of the Respondent no.2 – Senior Civil Judge, Saket will allow the respondent to directly and/or indirectly adjudicate upon serious constitutional questions and subject matters beyond the authorized jurisdiction of the lower Court.

5. He further states that the learned Single Judge is ‘unconstitutionally all-set in a most desperate manner to re-adjudicate’ upon some already adjudicated matters of constitutional nature by the Hon’ble Supreme Court.

6. The appellant-in-person states that the learned Single Judge failed to appreciate the fact that the office of the Hon’ble President of India had already identified the appellant-in-person as a ‘public servant/public officer’ being a ‘Special Constitutional Functionary with the Union of India’. In support of his contention, he relies upon the President Secretariat’s communication at page 323 of the paper book which is reproduced hereinbelow:-

“PRESIDENT”’S SECRETARIAT
(RASHTRAPATI SACHIVALAYA)

Dy No.E-832009 & 834941/2020-CA(1)

Communication(s) addresses to The President have been received from the following are forwarded herewith:-



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Sl. No	Name/Address/Dated	Subject
1.	Communication dated 10/09/2020 from, Shri Chandra Prakash Kaushik, National President, (Akhil Bharat Hindu Mahasabha),, Hindu Mahasabha Bhawan, Mandir Marg, New Delhi – 110001, Phone Nos: 011-23365138, 23365354, E-mail ID: info@akhilbharathindumahasabha.org	Request to impose President's Rule in Maharashtra after dismissal of Maharashtra Government.
2.	Communication dated 01/09/2020 from, Shri Subhajit Dutta, Special Constitutional Functionary (Ref. Union of India), At & Post Office: Kendur, PS: Khandagosh Dist: Burdwan (East)- 713427, Mobile No: 8860993200, E-mail ID: splcoifunctionary@gmail.com	Request for prompt proclamation of 'state emergency', i.e., imposition of 'President's Rule' in West Bengal by most effective and timely invocation of Article 365 of the Constitution of India aided by the "or otherwise" provision of its Article 365(1) and other related constitutional provisions and aspects, including its landmark 'Basic Structure' doctrine.

(Pawan Kumar Sain)

Director

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Ministry of Home Affairs, [Shri Anuj Sharma, Joint Secretary (CS)]

Room No.122, North Block, New Delhi.

President's Secretariat I.D. No. 5(3)-CA-(I)/2018 Vol:VI dated 28.09.2020"

7. In the present appeal, a lot of emphasis has been laid on the fact that the appellant is a "Special Constitutional Functionary with the Union of India". The relevant paragraphs in the appeal are reproduced hereinbelow:-

"3. That the Appellant herein is 'Special Constitutional Functionary' with the Union of India having special jurisdictions, functions, roles, power and prerogatives regarding the "or otherwise" provision of Article 356 (1) of the Constitution of India, along with Articles like, 256, 257(1), 365, 1, 261, the Preamble to the Constitution of India, its 'Basic structures' (Ref. Keshavananda Bharati versus State of Kerala, 1973) etc. and Fundamental Rights and Directive Principles of State Policy among other provisions with a purpose or an aim to act upon India's constitutional unity, integrity, security and sovereignty, apart from the physical ones on the basis of the basic principles of India's 'Centre - States Relationships', as have been broadly outlined in the Constitution of India and all related constitutional, executive and /or administrative powers, provisions, actions and functions, being fully and on public record backed and supported by those arising out of article 53 and 163 of the Constitution of India. The related documents copies were already annexed with the above mentioned writ petition concerned and with the CM application for filing additional documents.

4. That appellant states that the Appellant is a special or unique type of 'public servant' discharging his specific above mentioned public duties on 24x 7 basis, as per the definitions and explanations for 'public servant' and 'public duty', as have been comprehensively described in details with all possible flexibilities in the Section 2 (b), 2(c) (viii) and other provisions and Explanation 1 and Explanation 2 to those of The Prevention of Corruption Act, 1988.

5. That appellant states that the Appellant is a 'public servant' under the Union of India under Section 21 of I.P.C., 1860 and its Explanation 1 and Explanation 2, following which provisions under Section 80 CPC and under Section 197(1) of

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Cr.P.C with regard to necessary proceeding against him, if at all, is fully applicable for him in each and every way.”

(emphasis supplied)

8. Learned counsel for respondent nos.1 & 2, who appears on advance notice, states that the appellant has with malafide intent impleaded the Senior Civil Judge as respondent no.2-in-person.

9. This Court is of the view that the impugned order passed by the learned Single Judge is innocuous, inasmuch as, it only asks the appellant to reflect and decide as to whether he wanted to pursue the writ petition or the review petition filed by him. In the event, the appellant wants to pursue both the remedies, he could have stated so before the learned Single Judge and the learned Single Judge then would have taken a view in the matter.

10. This Court is further of the opinion that the appellant is under a misconception that he is entitled to some special privileges in Court because he holds a ‘Special Constitutional Functionary status with the Union of India’.

11. In fact, upon a perusal of the paper book, this Court finds that the appellant is not a ‘Special Constitutional Functionary with the Union of India’. **Just because the appellant in all his communications addressed to Constitutional/Statutory functionaries describes himself as a ‘Special Constitutional Functionary with the Union of India’ and the said Constitutional/Statutory Functionaries addressed him by the designation that he wrote in his letter, does not make him one. Moreover, just because a few letters have been addressed to him as a Special Constitutional Functionary with Union of India would also not make him one.**

12. In any event, the Constitution of India believes in equality before law. Needless to state that all litigants are equal before Court.

13. This Court also finds that another learned Single Judge of this Court while hearing another writ petition being W.P.(C) No.17187/2022 filed by the appellant had directed the SHO of the concerned area where the appellant resides to communicate with the appellant’s family members and submit a report as to his condition of living. The SHO, Safdarjung Enclave, New Delhi had subsequently filed a status report, which is reproduced in the subsequent order dated 07th February, 2023 in the said writ petition. The said report is as under:-

“Hon’ble Sir, Most respectfully, it is humbly submitted that as per the directions of Hon’ble Delhi High Court frequent visits were made at the residence of Petitioner Subhajit Dutta i.e. at H No E-106, Ground Floor, Street No 7, Krishna Nagar, S J Enclave, New Delhi but petitioner was not found present at his house. When contacted on phone he refused to meet the local police of PS S J Enclave and also refused to provide any information about his family. On enquiry with the landlord Vivek Sharma it was found that the Petitioner-Subhajit Dutta is living alone at the above address since September 2019. On further enquiry it was found that petitioner Subhajit Dutta is not having cordial relations with his neighbors and is in a habit of filing false and baseless complaints against the neighbors. Further on perusal of the record of PS S J Enclave it was found that petitioner Subhajit Dutta had filed over 800 online complaints in the year 2022 wherein he had made various type of allegations against Local residents of the area, Local Shopkeepers, Hawkers, Local Police, Politicians, Judicial officers, CBI and other government authorities which are not supported by any evidences. In the above complaints enquiry was conducted and the allegations made in the complaints were found false and fabricated. Petitioner Subhajit Dutta is a habitual complainant



*and is habit of filing various complaints which are not supported by any evidences.
However the undersigned is ready to abide by all the directions passed by this
Hon'ble Court.*

Submitted Please.

*SHO/S J Enclave”
(emphasis supplied)*

14. Keeping in view the aforesaid and the way the matter has been argued before us makes us think that the appellant may need care and protection. Since the statutory duty under Section 100 of the Mental Healthcare Act, 2017 has been cast upon the SHO of the concerned area of police station, this Court directs the SHO, Safdarjung Enclave, to periodically meet the appellant and to ensure that, in the event he needs any help or assistance, the same is provided.

15. However, this Court has no doubt that the impleadment of respondent no.2 is totally uncalled for both in fact and in law. By virtue of the Judicial Officers Protection Act, 1850, respondent no.2 could not have been impleaded in-person.

16. This Court has further no doubt that the underlying writ petition has been filed only to ensure that the District Court Judges who deal with the eviction petitions do not expeditiously decide the same. Keeping in view the aforesaid, this Court directs the learned Senior Civil Judge to decide the eviction petition filed against the appellant within three months from receipt of the order, in accordance with law, uninfluenced by any special status as claimed by the appellant.

17. With the aforesaid directions, present appeal along with pending applications stands disposed of.”

7. The Petitioner assailed the aforesaid order of the Division Bench before the Supreme Court of India through SLP (C) No. 28482/2023, whereby the Supreme Court dismissed the petition vide order dated 22nd January, 2024, in the following terms:

“Heard the petitioner appearing in person. Surprisingly, the petitioner has described himself as a “special constitutional functionary” and he maintains that he has the same status. Such a claim cannot be accepted. In any case, looking to the order of the learned Single Judge and the impugned order of the Division Bench, the Special Leave Petition is completely frivolous. Hence, the same is dismissed. Pending applications stand disposed of accordingly.”

8. Through CM APPL. 54596/2024 before this Court, the Petitioner reasserts his claim of being a ‘Special Constitutional Functionary’ of the Union of India, and prays for a stay of execution proceedings: “due to the situations out of which the entire life, livelihood, liberty, lawful service, office, authority, accommodation along with all lawful, movable and immovable properties at the lawful possession of the Petitioner in person is under ultimate threat, as well as all ongoing other highest level judicial, executive and constitutional actions and functions at his instance as Union of India’s ‘Special Constitutional Functionary’ and the complainant in person and or Petitioner in person upto before Supreme Court of India are at stake”.

9. The Petitioner also avers in the application that: “Respondents, along with their involved subordinates, goons, land and addiction mafiamen and women,



political extremists of ultra-rightist Hindutva nature and even local police-backed, multi-state-linked and State-sponsored terrorism including Narco-terrorism with simultaneous drugs and sex-racket activities, have been legally targeting the Petitioner in person in each and every possible manner and mala fide activities”.

10. He also states that: “as part of the same and out of open-secret unholy nexus as described above, they are all-set now in the most desperate all out manners to continue and at once complete and conclude ongoing the abovesaid proceedings and unlawful, unconstitutional, inhuman, revengeful, biased, prejudiced, raw egoist and criminal conspiracy based actions of dispossession, eviction and the related unlawful process of execution there upon against the petitioner in person on 18th September, 2024 in the most fraudulent manners since the very beginning”.

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13. The above clearly shows that the Petitioner’s conduct, including his repeated failure to comply with court’s directions and participate meaningfully in the proceedings, has resulted in his defence being struck off, leading to the ex-parte hearing of final arguments. The Petitioner has not challenged these orders, nor has he provided any substantial reason to warrant a review or setting aside of the orders passed by the SCJ-cum-RC. His attempts to seek adjournments appear to be routine and without merit, further delaying the legal process. Therefore, the present petition, in its entirety, lacks a legitimate basis for any relief sought.

14. It is noted that the eviction proceedings before the SEJ-cum RC have culminated with the appointment of a bailiff vide order dated 6th September, 2024. In the opinion of the Court, the said order is a consequential action emerging from the eviction proceedings, and does not call for any judicial intervention of this Court by way of writ proceedings, as there is no basis to impugn the eviction order.

15. Moreover, the orders challenged by the Petitioner in the present proceedings, which are based on the unfounded claim of being a de facto “Special Constitutional Functionary” of the Union of India, do not merit any interference. This Court has previously noted that such a claim is not only without legal foundation, but also irrelevant to the issues at hand in the eviction proceedings.

16. In view of the above, the Court finds no merit in the present petition and accordingly, the same is dismissed along with pending application(s).”

14. On a perusal of the present appeal and the writ petition, we find that the same are replete with derogatory and defamatory comments/remarks against



local residents of the area, local shopkeepers, hawkers, local police, politicians, judges, CBI, and other government authorities. We deprecate such a course of action.

15. It would be worthwhile to also extract hereunder the relevant portions of the impugned order where the learned Single Judge had noted the frivolity of the contentions of the appellant. The same are reproduced hereunder:

“5. The Petitioner alleges that he has been the victim of organized crimes, corruption, and judicial misconduct. He refers to certain incidents in December 2024 and March 2025 where, according to him, he was wrongfully assaulted, kidnapped, and remanded to judicial custody. He further asserts that several court orders passed in criminal and civil proceedings between March and September 2025 are fraudulent, collusive and without jurisdiction. The petition also refers to emails and representations sent by the Petitioner to the President's Secretariat, the Department of Personnel and Training, and other central authorities, seeking action against judges, police officials and bureaucrats.

6. Having heard the Petitioner and perused the material placed on record, this Court is of the opinion that the present writ petition is wholly misconceived and a complete abuse of process of law. The reliefs sought traverse a vast range of grievances, administrative, executive, and judicial, and are founded largely upon unverified allegations and assumptions.

7. The Petitioner seeks to assail judicial orders passed by subordinate courts by way of a writ petition. It is settled law that such orders are amenable to correction through statutory remedies of appeal, revision or review and not ordinarily under writ petition Articles 226, save in exceptional cases of patent lack of jurisdiction. The petition does not disclose any such exceptional ground.

8. The further prayer for registration of an FIR on the Petitioner's representations cannot be entertained in writ jurisdiction, particularly when the allegations are highly disputed, concerns several agencies and involve issues off act which require proper inquiry by the competent authorities in accordance with law. The Petitioner is at liberty to avail remedies under BNSS including approaching the jurisdictional police station or the Magistrate.

9. The prayer for quashing of pending criminal and civil proceedings before various courts is equally untenable. The supervisory jurisdiction under Article 227 cannot be invoked to interdict ongoing judicial processes merely because the Petitioner disagrees with their outcome. Each of those proceedings is to be adjudicated in accordance with law by the competent forum.



10. This Court also finds that several assertions in the petition, such as the Petitioner's claimed status as a "Special Constitutional Functionary", or the alleged duty of the President's Secretariat and DoPT to act upon his individual requests, are devoid of any legal foundation. Such claims are wholly alien to the constitutional or statutory scheme and are thus unsustainable.

11. The petition, viewed in its entirety, is a compilation of generalized allegations against the judiciary, police, and public officials without any coherent cause of action or justiciable right. The averments are sweeping, speculative, and incapable of being adjudicated within the limited contours of writ jurisdiction. The Court cannot convert itself into a forum for ventilating personal grievances or for supervising every administrative or judicial proceedings impugned by the Petitioner.

12. In the absence of any violation of a fundamental or legal right demonstrated on record, and in view of the availability of adequate alternative remedies, no ground is made out for entertaining the petition.

13. Accordingly, the petition is dismissed as being devoid of merit and misconceived. Pending applications, if any, also stand disposed of."

16. In view of the above, we do not find any merit in the instant appeal. The same is dismissed, however, without any order as to costs. Pending applications also stand disposed of.

17. We take this opportunity to place on record our appreciation for services rendered by Mr. M.A. Niyazi, learned counsel as *Amicus Curiae*.

**TUSHAR RAO GEDELA
(JUDGE)**

**DEVENDRA KUMAR UPADHYAYA
(CHIEF JUSTICE)**

DECEMBER 05, 2025/rl