Reserved On : 15/04/2026
Pronounced On : 08/05/2026

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 5112 of 2026

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GIRISHKUMAR RAMESHCHANDRA SONI

Versus

HIGH COURT OF GUJARAT THROUGH REGISTRAR GENERAL

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Appearance:
MR PERCY KAVINA, SENIOR COUNSEL WITH MR BHARGAV HASURKAR (5640) for the Petitioner No.1
LAW OFFICER BRANCH (420) for the Respondent No.1
MR GAUTAM JOSHI SENIOR COUNSEL with VIKAS V. NAIR (7444) for the Respondent No.1

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CORAM: **HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA**
and
HONOURABLE MR.JUSTICE J. L. ODEDRA

CAV JUDGMENT
(PER : HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA)

1. The petitioner, a serving Additional District Judge, has filed this petition seeking for quashing of the departmental inquiry that has been initiated against him. He has also made the prayers for reinstatement, transfer of inquiry to a Senior Judge and also for quashing of the order of suspension.

2. By way of an amendment, he has also challenged the order of the Hon'ble Judge who has rejected his prayer for discharging or dropping the inquiry initiated against him.

3. The facts which are necessary for the purpose of deciding this petition are as follows:

i. On 16.12.2024, the petitioner was placed under suspension in view of a contemplated departmental proceeding against him.

ii. On 25.1.2025, a charge-sheet was laid against the petitioner in which 6 charges were laid against him. In these 6 charges, it is alleged that the petitioner had developed intimate relations with an outsourced clerk and had also extended financial help to her and had also utilized the services of the court employees to assist her in her business venture.

iii. It is also alleged that he had obstructed the functioning of the CCTV camera by getting it blocked and that he failed to maintain regularity in holding his sitting and he was also found using his mobile phone and engaging in prayers while presiding over the Court.

iv. A charge is also levelled against him that he had threatened the peons to withdraw their statements recorded by the President, Industrial Court, Ahmedabad.

v. The order of suspension that had been passed against him had been challenged by the petitioner before the Supreme Court under Article 32 of the Constitution of India by filing Writ Petition (Civil) No.124 of 2025.

vi. On 14.2.2025, i.e. 2 weeks after the charge-sheet was laid, the petitioner withdrew the writ petition that he had filed before the Supreme Court with liberty to take such action as was permissible in law.

vii. On 12.3.2025, the petitioner filed his reply to the charge-sheet whereby he denied the allegations made against him and also sought for dropping of the proceedings.

viii. Pursuant to the charge-sheet and the reply, the inquiry was conducted by a learned Single Judge of this Court. In this departmental proceeding, the petitioner made an application for change of the inquiry officer. This application was rejected on 19.9.2025.

ix. An application was thereafter made for stay of the department proceedings until final disposal of his transfer application.

x. On 30.9.2025, one more application was filed for dropping of the inquiry on ground that no complaint had been made against him along with a sworn affidavit.

xi. The learned Single Judge conducting the inquiry rejected the said application and scheduled the inquiry to be conducted on 13.10.2025 for recording of evidence.

xii. On 13.10.2025, an application was filed for supply of the daily order-sheets.

xiii. On 7.11.2025, the petitioner made several applications/ memorandums raising several contentions regarding the improper manner in which the inquiry was being conducted.

xiv. On 20.11.2025, Abhishek J. Rathod, a witness, filed a complaint before the learned Single Judge alleging that he had been threatened by the petitioner and that he should be granted protection.

xv. On that day, the petitioner made an application for grant of an adjournment, citing the length of the proceedings. The learned Single Judge also took note of the complaint made by Abhishek J. Rathod and ultimately adjourned to the matter to 2.12.2025 and also stating that the Presenting Officer should render assistance to ensure that the witness was safely dropped to ISCON Cross Road so that he could proceed to Jamnagar.

xvi. It appears that the petitioner also approached the Supreme Court by filing Writ Petition (Civil) No.12 of 2026 seeking for quashing of the departmental inquiry and also for transferring of the inquiry to an independent and impartial Senior Judge or to any other Judge of any High Court other than the Gujarat High Court.

xvii. The petitioner, however, on 12.1.2026 withdrew this petition with a liberty to approach this Court on the judicial side. The writ petition was accordingly dismissed as withdrawn with the liberty as sought for.

xviii. On 22.1.2026, witness Abhishek J. Rathore was examined through video conferencing. On the same day, a request was made by the Presenting Officer seeking for time. This request for adjournment was opposed. However, the Inquiry Officer, taking note of the fact that the request for adjournment was made for the first time, adjourned the matter to 29.1.2026 and directed witness Abhishek J. Rathod to remain personally present.

xix. On 22.2.2026. the petitioner requested the Inquiry Officer to secure the personal presence of the witness.

xx. On 1.4.2026, an application filed to recall the witness was rejected by the Inquiry Officer.

xxi. On 7.4.2026, this petition has been filed, seeking for quashing of the departmental proceedings.

xxii. On 10.4.2026, when the matter was posted before the Court for the first time, an application for amendment was made whereby the order dated 30.9.2025 by which the Inquiry Officer rejected the claim to drop the inquiry was sought to be challenged and this amendment was

allowed as it was not opposed.

xxiii. On 15.4.2026, the matter was heard and the judgment was reserved. At the time of reserving the judgment, this Court had called upon the petitioner's counsel to place on record the memoranda of the two writ petitions that had been filed before the Supreme Court since this petition did not contain the details of the prayers made in the writ petitions before the Supreme Court but only merely stated that the petitions had been filed.

xxiv. On 17.4.2026, the petitioner handed over the copies of the writ petitions and along with the writ petitions, also placed on record his written submissions on affidavit. Though the petitioner had engaged an advocate to represent him in the present litigation and had also engaged Learned Senior Counsel Shri Percy Kavina to argue on his behalf and who, in fact, had addressed the arguments on 15.4.2026, this written submissions on affidavit was not presented by the learned Counsel and did not contain his signatures. The written submissions contain only the signature and the affidavit of the petitioner himself, thereby signifying that he had chosen to present it by himself.

xxv. On 20.4.2026, after the judgment had been reserved, Learned Senior counsel Shri Percy Kavina and

advocate Shri Bhargav Hasurkar mentioned the matter at 11.00 a.m. and informed this Court that the written submissions of the petitioner along with his affidavit had been filed by the petitioner himself and this had been done without their instructions or advice. They specifically stated that they were dissociating themselves from this affidavit and Shri Hasurkar had, in fact, issued a notice of retirement to the petitioner dated 17.4.2026 in which, the fact of filing this written submissions without his advice was stated and it was also mentioned that the petitioner would have been advised against filing of such written submissions if his counsel would have been sought for.

xxvi. The reason for this controversy is contained in paragraph-(2) of the written submission, which reads as follows:

> "(2) The purpose to go to Hon'ble Supreme Court for relief prayed for as I lost confidence in the Gujarat High Court because the senior most Hon'ble High Court Judge Mr. I J Vora is having good control over all branches of High Court and my grievance against Hon'ble Justice Mr. Vora. As I worked at Rajkot under the then Principal District Judge Shri I J Vora in the year 2012 for six month and I strongly believe that Hon'ble Justice Mr. Vora is capable to instruct/direct to his junior judge. As Hon'ble Supreme Court directed to approach the High Court on the judicial side and hence the petitioner filed the present Special Civil Application."

4. This act of the petitioner in filing this written submissions and its import will be considered in the later

part of this judgment.

5. Shri Percy Kavina, learned senior counsel appearing for the petitioner, firstly, contended that the charges framed against the petitioner were vague and therefore, no inquiry can be conducted in respect of such vague charges. Secondly, and More importantly, he contended that the inquiry against a judicial officer can be initiated only if there was a written complaint accompanied by an affidavit with verifiable materials. His entire argument is based on the guidelines issued by the Ministry of Law and Justice for dealing with complaints against subordinate judiciary, which has been issued to all the High Courts. He submitted that since admittedly, there was no complaint against the present petitioner, the very initiation of the inquiry stood vitiated and will have to be quashed.

6. In support of this argument, learned senior counsel Shri Kavina relied upon a Division Bench ruling rendered in the very case of the petitioner in Special Civil Application No.11804 of 2017, in which it has been held that no complaint against a judicial officer can be entertained and no action should be taken unless it is accompanied by a sworn affidavit and verifiable material.

7. As regards the act of the petitioner in filing his written submissions, learned senior counsel Mr. Kavina

submitted that the same had been filed without informing the Advocate on Record and without even his signature. He submitted that this conduct of the petitioner had led to the issuance of a legal notice by the Advocate on Record and therefore, no fault should be attributed to the learned counsel.

8. Learned senior counsel Shri Gautam Joshi appearing on behalf of the High Court contended that this writ petition should not be entertained considering the conduct of the petitioner. It was pointed out that every attempt has been made by the judicial officer to thwart the inquiry and hence, the petitioner may not be entitled to any relief.

9. Learned senior counsel Shri Joshi pointed out that it is rather a well settled law that courts should not interfere in the matters wherein a challenge is laid to the charge-sheet. He contended that the delinquent on whom a charge-sheet had been laid would always have the remedy of raising all contentions before the Inquiry Officer and in the event, his objections were overruled, the same would be a ground for appeal. He submitted that if challenge to a charge-sheet is entertained, it would only enable the delinquent to stall the inquiry and it would be an attempt to ensure that the truth of the allegations are not determined.

10. Learned senior counsel Shri Joshi submitted that the argument that a complaint accompanied with an affidavit and verifiable material would not arise in the present case, basically because the inquiry was not initiated on the basis of any complaint but it was on the basis of the information received by the Court. He pointed out that the High Court would be well within its rights to initiate department proceedings if it has brought to the notice of the High Court that the conduct of a judicial officer is improper.

11. Learned Senior counsel Shri Joshi pointed out that the guidelines, the violation of which was urged by the petitioner, would not be applicable to the present case since the guidelines were only in respect of the complaints that have been lodged by litigants against the judicial officers. Such a guideline which was meant for a particular purpose, i.e. to deal with the complaints of litigants, cannot be used as a shield to prevent an inquiry regarding a misconduct by a judicial officer.

12. Learned Senior counsel Shri Joshi pointed out that the guidelines were essentially a procedure that was being followed in order to avoid entertaining frivolous complaints by litigants and those guidelines will have no application in respect of a misconduct which has come to the notice of the High Court of a judicial officer.

13. Learned Senior counsel Shri Joshi as regards the written submissions filed by the petitioner, submitted that the statements made in para-2 of the written submission was a clear attempt to scandalize the judiciary and therefore, proceedings should be initiated under the Contempt of Courts Act for criminal contempt.

14. In the light of the above, the following questions would arise for consideration:

(1) Whether the petitioner can challenge the initiation of a departmental inquiry and the laying of a charge-sheet against him on the ground that it violates the guidelines dated 31.12.2014 issued by the Ministry of Law and Justice?

(2) Whether the statements made in para 2 of the written submissions are contemptuous and merit initiation of contempt proceedings against the petitioner?

Regarding question No.1:

15. In exercise of the powers conferred by the proviso to Article 309 read with Article 234 of the Constitution of India, the Government of Gujarat after consultation of the High Court of Gujarat has enacted the Gujarat Judicial Service Rules, 2005. This Rule provides for constitution of the ‘State Civil Services’ named ‘Gujarat State Judicial Service’ and the Rules specify the cadres and posts which

shall form the said service. These Rules also govern the recruitment of judicial officers and deal with all issues relating to the provisions officiating the seniority. Rule 23 of the said Rules reads as follows:

> *"**23. Application of Other Rules**.*
>
> All Rules regulating the conditions of service of the members of the State Civil Services made from time to time under any law or the proviso to Article 309 of the Constitution of India, in so far as they are not inconsistent with these Rules, shall be applicable to the members of the Service."

16. Thus, by virtue of Rule 23, all other rules regulating the conditions of service of the members of the State Civil Services made from time to time under any law or proviso to Article 309 of the Constitution of India shall *ipso facto* be applicable to the members of the judicial service.

17. As a consequence of Rule-23, the Gujarat Civil Services (Discipline and Appeal) Rules, 1971, which govern the disciplinary rules against the civil servants will also be applicable in respect of the judicial officers.

18. Chapter-III of the said Rules provides for the Nature of Penalties that can be imposed, the Disciplinary Authority and also the authority who is empowered to institute the proceedings. Rule 6 states that without prejudice to the provisions of any other law, the penalties indicated therein may be imposed *for good and sufficient reasons*. The use of the phrase '*for good and sufficient*

reasons' would basically indicate that there must be an adequate reason for imposition of any penalty against a judicial officer by the disciplinary authority.

19. However, before imposing any penalty, the provisions of Chapter-IV are to be complied with. In fact, Chapter-IV provides for the detailed procedure to be followed before imposition of a penalty.

20. Rule 9(1) and 2 read thus:

> "**9. Procedure for imposing major penalties** :-
>
> (1) No order imposing any of the penalties specified in items (4) to (8) of rule 6 shall be passed except after an inquiry, held as far as may be, in the manner provided in this rule and rule 10 or in the manner provided by the Public Servants (inquiry) Act, 1850 where such inquiry is held under that Act.
>
> (2) *Whenever the Disciplinary Authority is of the opinion that there are grounds for inquiry into the truth of any imputation of misconduct or misbehaviour or of any culpable act or omission,* against a Government servant, it may itself inquire into, or appoint under this rule or under the provisions of the Public Servant (Inquiry) Act, 1950 as the case may be, an authority to inquire into the truth (herein-after referred to as, the Inquiry Authority)
>
> [Provided that where there is a complaint of sexual harassment within the meaning of rule [3-B] of the Gujarat Civil Services (Conduct) Rules, 1971, the complaints Committee established in each Department or Office for inquiring into such complaints, shall be deemed to be the inquiry authority appointed by the disciplinary authority for the purpose of these rules and the Complaints Committee shall hold, if separate procedure has not been prescribed for the complaints committee for holding the inquiry into the complaints of sexual harassment, the inquiry as far as practicable in accordance with the procedure laid down in these rules.]
>
> Explanation: Where the disciplinary authority itself holds the inquiry, any reference in these rules to the Inquiry Authority

> shall be construed as a reference to the disciplinary Authority."

21. As could be seen from sub-rule (1), the requirement before imposing a penalty is that an inquiry is mandatory. To put it in the reverse, no penalty can be imposed without an inquiry being conducted by the Disciplinary Authority.

22. Sub-rule (2) states that if the Disciplinary Authority *is of the opinion that there are grounds for conducting an inquiry* into the truth of any imputation of misconduct or misbehaviour or of any culpable act of commission, the Disciplinary Authority may himself inquire into the matter or he may appoint any other authority to inquire into the matter. Thus, in order to initiate an inquiry regarding any misconduct by an employee, the Disciplinary Authority should necessarily form an opinion that there are good grounds for such an inquiry.

23. The statutory rule does not contemplate the requirement of there being any complaint, oral or written, for initiation of inquiry. The formation of an opinion by an authority for conducting an inquiry is the only statutory prerequisite and nothing more. It cannot be in dispute that this formation of an opinion by the authority can be arrived at from various factors and could also be from information which has come to its knowledge. A written or a oral complaint could also be one such source in order

to form an opinion.

24. It is also to be borne in mind that the Disciplinary Authority is responsible for ensuring that the discipline in an organization is maintained. The source of the authority's information regarding misconduct would not be really relevant, and what would be relevant is that he has received some information which is sufficient to form an opinion about the probable misconduct of an employee and the necessity of holding an inquiry to ascertain that fact.

25. If an argument is advanced that there should be a complaint in a prescribed manner or that a complaint should be accompanied by an affidavit or that there should be verifiable material before initiation of an inquiry, then Rule 9(2) would be rendered redundant. If there are statutory rules in place which permit the initiation of an inquiry and the Rules therein provide only for the formation of an opinion by the Disciplinary Authority to order the initiation of an inquiry, this statutory power cannot be whittled down or diluted by contending that there must be something more, like in the form of a written complaint which is supported by an affidavit.

26. It is therefore, clear that the power to initiate an inquiry against a judicial officer rests solely with the

Disciplinary Authority and the only requirement for the exercise of this power by the Disciplinary Authority is the formation of an opinion by the Disciplinary authority.

27. The use of the words 'good and sufficient reasons' in Rule 6 read with the use of the term that, 'the Disciplinary Authority is of the opinion' would indicate that it is entirely upto the Disciplinary Authority to form an opinion in the matter of holding an inquiry and also in the matter of imposition of penalties. The Disciplinary Authority would, therefore, have the discretion to take a decision regarding the initiation of the inquiry. It is to be reiterated that this wide and all-encompassing power of the Disciplinary Authority cannot be restricted in any manner whatsoever. Any attempt to put fetters on this power would essentially mean the obligation of the head of the organization to maintain discipline will be destroyed and this is clearly impermissible, both in law and in equity.

28. The argument of Learned Senior counsel Mr. Percy Kavina, however, is that a complaint accompanied by an affidavit and verifying material is a 'must' for initiation of an inquiry as indicated in the Government guideline. That argument cannot be accepted, firstly, because it is against the mandate of the aforementioned statutory Rules which govern the field and secondly, because this argument stems from the fact that a guideline has been

violated.

29. The Ministry of Law and Justice, on the basis of a direction issued by Hon'ble the Chief Justice of India has issued guidelines. The guidelines read as follows:

> "As you are aware, recently, Hon'ble the CJI, vide his D.O. No.CJI/CC/Comp/2014/1405 dt. 3.10.2014, addressed to the Chief Justice of all the High Courts, has asked the High Courts and subordinate judiciary not to entertain any complaint against a judicial officer unless it is accompanied by sworn affidavits and verifiable material to substantiate the allegation. Expressing concern over the large number of complaints being filed against subordinate judiciary by people having vested interest and personal agenda. Hon'ble CJI has directed that authenticity of the complaints must be ascertained before any action is taken on it. In view of the provisions of the Article 235 of the Constitution, further action relating to the grievances/complaints against the judicial officers lies at the High Court level.
>
> All the Chief Justices of the High Courts have been requested to give publicity to these guidelines laid down in the communication dated 3rd October, 2014.
>
> This being the position, you are requested to give such wide publicity including through website of the High Courts and subordinate Courts under the control of the High Court *so that litigants having any grievances/ complaints relating to the judiciary are aware of the procedure required to be followed in such cases.* Department of Justice may be apprised of the action taken in this regard so that once publicity has been given to these guidelines, complaints/grievances received in the Department of Justice can be responded to by referring to these guidelines."

30. The last paragraph of the above guidelines makes it clear that in respect of which cases, the requirements of a complaint being accompanied by a sworn affidavit and

verifiable materials would be necessary i.e., in cases where a litigant has a grievance against the judicial officers of the trial courts.

31. It is to be stated here that there are vast number of complaints being lodged against the judicial officers of the trial courts raising all kinds of grievances regarding the judicial officers. In most of the cases, the complaint is by a disgruntled litigant who has suffered an adverse order or by a litigant who wants to pressurize the judicial officers by making false allegations. It is in this context that the guidelines came to be issued making it mandatory for the litigant to file a complaint against the judicial officers to give a sworn affidavit in support of the complaint and also produce verifiable material. This requirement is to ensure that the complainant is held accountable if it is found that the allegations are false or misconceived.

32. This requirement, issued in the form of a guideline, in relation to complaints by litigants against the judicial officers will have no application whatsoever in respect of the cases where the Disciplinary Authority has formed an opinion that there are good and sufficient reasons to initiate a disciplinary inquiry against a judicial officer.

33. It is to be noticed here that the Disciplinary Authority in respect of the judicial officer will have

various sources of information and the Disciplinary Authority would be justified in initiating an inquiry on consideration of the information that has been received by it. It cannot be forgotten that the Disciplinary Authority in respect of the judicial officer is the High Court headed by Hon'ble the Chief Justice. If the highest judicial body in the State has reasons to believe that there are good and sufficient grounds to initiate an inquiry, an argument that in order for the highest judicial body to initiate proceedings, a complaint is necessary and an affidavit should accompany it would be wholly untenable.

34. To put it differently, the highest judicial body is conferred with the power to initiate disciplinary proceedings in respect of an alleged misconduct of a judicial officer and this power is an independent and absolute power and cannot be subjected to the requirement of any complaint and an affidavit in support of the complaint.

35. This is not to mean that the guideline issued by the Ministry of Law and Justice on the basis of the direction of the Hon'ble Chief Justice of India will have to be disregarded.

36. As explained above, the guideline is essentially in respect of the complaints, that are being lodged by the

litigants who have grievances against the judicial officers. Normally, whenever a complaint is received from a disgruntled litigant, if the same is not accompanied by an affidavit, the complainant is called upon to file a sworn affidavit for looking into the grievance. It will also be open for the High Court to even act upon a complaint which is not supported by an affidavit if the contents of the complaint are sufficient to form an opinion that an inquiry is necessary.

37. A Division Bench of this Court vide its judgment in the case of the petitioner, i.e. in Special Civil Application No.11804 of 2017, has no doubt observed that in order to take action against a judicial officer, the complaint is required to be accompanied by a sworn affidavit. It is however to be noticed herein that in the said case, the proceedings had emanated on the basis of an oral representation made to the Chief Justice by the members of the bar and in that context, certain observations were made and also in the context that there was inordinate delay between the incident and the initiation of the inquiry. The Division Bench, in that case, was not called upon to consider the power of the Disciplinary authority with reference to statutory Rules and it has therefore not considered the absolute right of the Disciplinary Authority to initiate a departmental inquiry as contemplated under the Gujarat Civil Services, (Discipline

and Appeal) Rules, 1971. This judgment, therefore, cannot support the argument of the petitioner.

38. It is to be stated that the observations made in the said judgment would not amount to laying down the proposition of law that the powers of the Disciplinary Authority to initiate an inquiry under Rule 9 can be exercised only if there is a written complaint. It is to be reiterated that the power of the Disciplinary Authority to initiate an inquiry against its employee on the formation of an opinion cannot be made subject to the requirement of there being a written complaint and a sworn affidavit as it would run counter to the statutory Rule. It would be entirely at the discretion of the Disciplinary Authority to initiate an inquiry and form its opinion on the basis of the information that it may have received from various sources.

39. In that view of the matter, the entire argument of the learned senior counsel that no departmental inquiry can be initiated unless there is a written complaint, a sworn affidavit and verifiable material has to be rejected.

40. The argument that the charges laid against the petitioner are vague and, therefore, the proceedings are to be quashed, cannot also be accepted. If the grounds are indeed vague, it would always be open for the petitioner to raise this contention before the Inquiry

Officer and make his submission good before the Inquiry officer and if it fails before it, then, to the Disciplinary authority. The argument regarding the vagueness of charge cannot be entertained at this stage i.e., at the stage where the the inquiry is already in progress. It is for the Inquiry Officer to determine on consideration of the material placed before him and consider whether the charges were vague and it is not for this Court in exercise of its powers under Article 226 of the Constitution of India to examine this issue.

41. Normally, the matter would have ended with the above order and by dismissing the writ petition. However, this Court is constrained to take into consideration the conduct of the petitioner after the judgment was reserved.

42. On 15.4.2026, as stated earlier, the judgment was reserved after hearing the learned Senior counsels appearing for the petitioner as well as for the High Court. At the time of reserving the judgment, it was noticed by this Court that though a reference was made to two writ petitions filed by the petitioner before the Supreme Court, however the pleadings were silent as to what were the prayers that had been sought for in the said petitions. Learned Senior counsel was therefore, called upon to furnish the copies of the writ petitions that had been filed before the Supreme Court in order to ascertain the

prayers that were made therein.

43. In the guise of complying with this oral observation, the petitioner, bypassing his advocate on record and the learned senior counsel who had argued on his behalf, has proceeded to file his written submissions and along with which, he has enclosed two writ petitions that were filed before the Supreme Court.

44. This written submission has been submitted to the Court Master directly by the petitioner and it contains the signature of only the petitioner and is also supported by his affidavit. It is, therefore, clear that the petitioner, a serving Additional District Judge, has chosen to make a statement which he believes to be true and correct to his knowledge and belief.

45. As could seen from the averments made in para-2 of the written submission, the petitioner seeks to scandalize the Court. He is asserting that a senior judge of this Court has good control over all the branches of the High Court and it is his belief that this senior judge is capable of instructing or directing his junior judges.

46. In our view, this assertion by an Additional District Judge against a senior judge of this Court and imputing that the senior High Court Judge has control of his junior judges and is capable of instructing and directing his junior judges is clearly an act which scandalizes and

lowers the authority of the Court. This would also amount to an act which tends to interfere with the due course of any judicial proceedings and also tends to obstruct the administration of justice in any other manner. In other words, these assertions clearly constitute a criminal contempt.

47. We are, therefore, of the view that the papers insofar as it relates to initiation of criminal contempt for the assertions made in para 2, be placed before the Division Bench who is assigned the roster of contempt matters to initiate further proceedings, if it so desires.

48. The writ petition is DISMISSED subject to the above direction to place the papers before the Division Bench assigned the Contempt roster to consider taking action, if it deems fit, in respects of the assertions made in para 2 of the Written submission on affidavit.

49. The matter shall be listed on 15/6/26 and petitioner shall be personally present before the Division Bench on that day.

Sd/-
(N.S.SANJAY GOWDA,J)

Sd/-
(J. L. ODEDRA, J)

OMKAR

Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: OMKAR CHHAGANLAL MAHAWAR(HC00201), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 08/05/2026 16:43:08