

Court No. - 9

Case :- CONTEMPT APPLICATION (CRIMINAL) No. - 6 of 2022

Applicant :- State Of U.P. Thru. Prin. Secy. Home, Lko.
Opposite Party :- Sharad Kumar Gupta
Counsel for Applicant :- G.A.

Hon'ble Arvind Kumar Mishra-I.J.
Hon'ble Manish Mathur,J.

Heard learned counsel for parties and perused the material brought on record.

This contempt petition has come into existence by way of information/ letter dated 10.12.2021 sent by one Rabindra Kumar-IV the Presiding Officer/ District Judge, Motor Accident Claims Tribunal, Hardoi whereby it has been informed that on 10.12.2021 at about 02.25 P.M. Advocate Sharad Kumar Gupta practicing in Civil Court, Hardoi appearing in Miscellaneous Case No.214 of 2021 Aasharam & Another versus Survesh and another whereby he wanted release of some F.D.R. in the aforesaid case. Now, it so happened that as per the procedure prescribed for release of F.D.R. the original file is required to be summoned and after doing that the needful is ensured.

However upon being intimated the aforesaid advocate/ contemnor got infuriated and uttered ugly words not suited to the dignity and majesty of the Court. The advocate/contemnor aforesaid also tried to bring the Presiding Officer in disrepute by uttering harsh words in Court. Now, it so happened that when all this happened, the Court proceeding was held up and disturbed.

Consequently, information was sent for appropriate action being taken against the aforesaid contemnor and pursuant thereto the matter was placed before Hon'ble the Administrative Judge of the Hardoi Judge-ship whereupon the Hon'ble Judge considered the matter as one covered under Section 15(2) of the Contempt of Courts Act, 1971.

We have also gone through the entire record as has been placed along with all the notes of this registry and in particular the application and the

reference of the aforesaid Presiding Officer of Motor Accident Claims Tribunal, Hardoi. We upon careful perusal of entirety of the case find it a case for interference considering the entirety of this case, dignity and honour of the judiciary and *prima facie*, find upon perusal of the report dated 10.12.2021 that the act committed by Mr. Sharad Kumar Gupta, Advocate comes within the purview of Criminal Contempt as defined under Section 2(c) of the Contempt of Courts Act, 1971 since it scandalises or tends to scandalise and lower the authority of the Court concerned.

Issue notice to appear before this Court as to why proceedings should not be initiated against him under the aforesaid Criminal Contempt of Courts Act.

List on 15.07.2022 the alleged Contemnor shall appear in person before this Court on the said date.

Order Date :- 18.5.2022
Subodh/-