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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 5568/2019, CM APPL. 17502/2024&CM APPL. 17505/2024
SOMA PANDEYPetitioner

Through: Mr. Asad Alvi, Adv.
versus

STATE OF U. P. AND ANR.Respondents

Through: Ms. Pratima N. Lakra,
CGSC with Mr. Sailendra Kumar
Mishra, Mr. Chandan Prajapati, Ms.
Kanchan Shakya & Mr. Priyam
Sharma, Advs. for R-1.

Mr. Adarsh Kr. Tiwari & Mr. Suresh
Pandey, Advs. for R-2 with R-2 in
person.

Ms. Barkha Babbar, Adv. with Mr.
Sushmit Mishra, Adv. alongwith Mr.
Sarthak, Sr. Law Officer.

Mr. Sanjay Ghose, Sr. Adv./Amicus
Curiae with Mr. Rohan Mandal & Mr.
Baburam, Advs.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER
11.09.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Article 226 of the Constitution of India primarily seeks a prayer to declare respondent no. 2 as a vexatious litigant. The petitioner and respondent no.2 are involved in a matrimonial litigation among themselves.
3. *Vide* order dated 09.12.2022, the learned Predecessor bench has



observed as under:-

“2. The present petition is a classic case which highlights one of the reasons for heavy pendency in courts.

3. A matrimonial dispute between the husband and wife – both of whom are lawyers, has resulted into more than 50 proceedings and complaints initiated by both the parties to various authorities. The authorities where the proceedings have been initiated include the civil courts, criminal courts, domestic violence proceedings, Income Tax Department, Prime Minister Office, police stations, etc.

4. The allegation of the Petitioner is that the husband has filed all these cases and complaints which resulted into large number of proceedings. The husband, who is present in person, alleges exact the opposite. It has been observed that both the husband and wife are the lawyers.

5. Mr. Sanjoy Ghosh, Id. Senior Counsel who was vide order dated 21st May, 2019 appointed as an amicus curiae to assist the Court in this matter, has handed over various statutes in respect of the vexatious litigations, which have been enacted in Tamil Nadu, Maharashtra, Goa, Madhya Pradesh and Rajasthan. He has also placed these relevant judgments on record.

6. Respondent No. 2, the husband of the Petitioner is arguing the matter in person. Considering the nature of the matter, it is directed that the Petitioner should also be present in the Court to answer any query that the Court may have as also to explore an amicable resolution of the disputes.

7. Both the parties shall not file any further complaints, FIRs and any other litigation till the next date of hearing without seeking the leave of this Court. This would, however, not apply to applications in pending proceedings or any appellate remedies.

8. List on 9th March, 2023.”

4. Learned Amicus Curiae has taken this Court through the various statutes providing for the declaration of persons as vexatious litigants in the States of Tamil Nadu, Maharashtra, Goa, Madhya Pradesh, and Rajasthan.

5. In these circumstances, this Court deems it appropriate that the



respondent no. 1/Union of India file a response to the present petition with respect to legal issues raised by learned Amicus Curiae. Let the same be filed before the next date of hearing

6. List on 16.10.2025.

AMIT SHARMA, J

SEPTEMBER 11, 2025/nk/sp