

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 6249 of 2017**

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PRAMODSINH ATULJI THAKOR & ANR.

Versus

STATE OF GUJARAT & ANR.
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Appearance:

MR BS KHATANA(3671) for the Applicant(s) No. 1,2

HCLS COMMITTEE(4998) for the Respondent(s) No. 2

MS AMITA S SHAH(2691) for the Respondent(s) No. 2

PUBLIC PROSECUTOR for the Respondent(s) No. 1
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CORAM:HONOURABLE MR. JUSTICE J. C. DOSHI**Date : 10/07/2025****ORAL ORDER**

Perusal of the order sheet indicates that learned advocate Ms. RL Pathan appeared through HCLS Committee for respondent No.2 - Suryaben Thakor. Thereafter, order dated 10.8.2022 indicates that learned advocate since remaining absent, the respondent No.2 stated that she wanted to appear as party-in-person. However, order dated 14.9.2022 recorded that since learned advocate Ms. RL Pathan has given no objection, the HCLS Committee was directed to appoint advocate of the panel and to appear on behalf of the respondent No.2. Subsequent thereto, on 12.10.2022, learned advocate Ms. Amita Shah appeared through HCLS Committee and stated that party-in-person is not willing to pursue the proceedings with the learned advocate appearing through HCLS Committee.

What could be noticed that the Registry / Committee has declined to grant competency certificate to the respondent No.2, which is essential u/s 31A of the Gujarat High Court Rules, 1993.

Today, when the matter is taken up, the respondent No.2 insisted that she should be heard and she does not want assistance of any advocate. This Court declined to hear the party-in-person - respondent No.2 in absence of competency certificate issued by the Registry and offered her to take services of the advocate from the panel of HCLS Committee. But, she in an unruly behaviour, tried to raise ruckus in the Court by speaking derogatory words to the Court as well as learned advocates. The aforesaid behaviour of the party-in-person compelled the Court to call the police personnel to get the party-in-person out of the Court.

In view of aforesaid circumstances, looking to the conduct of the respondent - party-in-person being unruly, rude and derogatory undermining decorum of the Court, Registry is directed to not to permit the party-in-person to appear as such before this Court. For passing this order, this Court has taken assistance of the order passed by the Division Bench of this Court rendered in Criminal Misc. Application No.19649 of 2024.

S.O. to 17.9.2025. Interim relief, if any, granted earlier to continue till then.

It would be open for the respondent No.2 to take

assistance of any advocate and if she requires, the HCLS Committee is directed to provide service of advocate attached with it.

SHEKHAR P. BARVE

(J. C. DOSHI,J)