

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

D.B. Civil Contempt Petition No. 21/2024

Suo Moto

----Petitioner

Versus

1. Akshay Sharma, Superintendent/ In-Charge Of The Cause-List Section. Rajasthan High Court Jodhpur.
2. Deepak Singh Rathore, Administrative Officer Judicial, Criminal Section. Rajasthan High Court, Jodhpur,

----Respondents

For Petitioner(s)	:	Mr. Prateek Gattani (Amicus Curiae) Mr. Vivek Shrimali assisted by Ms. Yukti Joshi
For Respondent(s)	:	Mr. Rajesh Joshi, Sr. Adv. assisted by Mr. Mahaveer Singh Mr. Tribhuvan Gupta Mr. Aniket Tater

**HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI
HON'BLE MR. JUSTICE SANDEEP SHAH**

Order

24/02/2026

1. This Court initiated the present contempt proceedings pursuant to the suo moto order dated 22.02.2024 passed by learned Single Bench of this Hon'ble Court, which reads as follows:-

- "1. At the time of mentioning (10:30 am) Mr. J.V.S.Deora and Dr. A.P. Singh, learned counsel raised a grievance that despite a clear order passed by this Court on 20.02.2024 in SB Criminal Misc. Bail Applications No.1038/2024 and 12718/2023 to list them on 22.02.2024, the same have not been listed in the cause list.*
- 2. Mr. Singh, learned counsel submitted that he comes from Delhi and considering the urgency of the matter and*

the fact that the Court has substantially heard the matter and given a day's time to learned Public Prosecutor to respond, he stayed in Jodhpur with a hope that the matter will be listed and heard today.

3. Members of the Bar present in the Court echoed the same grievance that was raised by Mr. Deora and Mr. A.P. Singh.

4. Learned counsel submitted that on and off the litigants/lawyers are facing trouble that despite the Court's dates, the matters are not being listed.

5. They submitted that the situation becomes worse when it happens with bail applications, as many a times, case diary is called and officer in-charge appears before the Court from out of stations only to find that the case is not listed.

6. On query being made by the Court, Court Master informed that on 20.02.2024, next date of 22.02.2024 was given by the Court in the following matters:

S.No	Particulars	Party name(s)
1.	CRL.M.(Bail) 12718/2023	Bhupendra Vs. State of Rajasthan
2.	CRL.M. (Bail) 11596/2023	Mahesh Vs. The State of Rajasthan
3.	CRL.M. (Bail) 12087/2023	Lalit Vs. State of Rajasthan
4.	CRL.M. (Bail) 308/2024	Vishna Ram Vs. State of Rajasthan
5.	CRL.M.(Bail) 652/2024	Kalu Ram Vs. State of Rajasthan
6.	CRL.M.(Bail) 1195/2024	Varingaram Vs. State of Rajasthan
7.	CRL.M.(Bail) 1257/2024	Ratanlal Vs. State of Rajasthan
8.	CRL.M.(Bail) 1305/2024	Ravi Kumar Vs. State of Rajasthan
9.	CRL.M. (Bail)	Lalit Kumar Vs. State of

	1038/2024	Rajasthan
10.	CRL.M. (Bail)1875/2024	Radharam@Radhakishan Vs. State of Rajasthan
11.	CRL.M.(Bail) 1876/2024	Birmaram@Brhmaram Vs. State of Rajasthan
12.	CRL.M.(Bail) 1924/2024	Bajrang Singh Vs. State of Rajasthan

7. Court Master informed that files of aforesaid matters were sent to the concerned Clerk (in the morning hours of 21.02.2024).
8. The matter calls for serious and immediate intervention. Not listing of matters/files even after fixing the next date by the Court, amounts to interference in administration of justice.
9. Let a notice of contempt be issued to Superintendent/In-charge of the Cause-list Section and Administrative Officer Judicial, Criminal Section as to why proceedings of contempt be not initiated against them and any other officials, if found to be negligent and derelicting towards their duties?
10. Notices are made returnable on 11.03.2024.
11. A case be registered separately.
12. Registry is hereby directed to list all the aforesaid matters, (which were directed to be listed today) in supplementary cause list today itself."
2. Pursuant thereto, reports were called for, affidavits were filed and appropriate responses have been placed on record.
3. Mr. Prateek Gattani, learned Amicus Curiae, submitted that on 18.08.2023, in **Manoj V. State of U.P. (Contempt Petition (Criminal) Diary No(s).32894/2023 in SLP (Crl.**

No(s).7696/2023), the Hon'ble Supreme Court of India, passed the following orders:-

- "1. The present Contempt Petition is nothing else but an abuse of process of law.*
- 2. Merely because the matter is not listed on the date specified by the Court, cannot be a ground to initiate contempt petition against the Secretary General and Registrar (Listing) of this Court.*
- 3. There are certain difficulties on account of which the matters cannot be listed, even if the Court directs the matter to be listed on a particular date.*
- 4. Filing of contempt petition for not listing such a matter is, in our view, an attempt to browbeat the Registry. Such an attempt is highly deprecated.*
- 5. We, therefore, dismiss the contempt petition with costs quantified at Rs. 25,000/- (Rupees Twenty Five Thousand Only) to be paid to the Supreme Court Bar Association, which will be used for Library purposes.*
- 6. After the aforesaid order was dictated, Dr. Adish C. Aggrawala, learned President of the Supreme Court Bar Association has tendered an unconditional apology on behalf of the petitioner. As such, the order of costs stands recalled.*
- 7. Pending applications, if any, stand disposed of."*

3. This Court, upon consideration of the record, the explanations furnished, the reports submitted, the unconditional apology tendered, and in overall perspective, does not find it appropriate to continue the contempt proceedings. Accordingly, the contempt proceedings are hereby discharged.

4. The petition stands disposed of accordingly.

(SANDEEP SHAH),J

(DR.PUSHPENDRA SINGH BHATI),J