

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

D.B. Criminal Contempt Petition No.4/2023

Satnam Motocorp Pvt. Ltd

-----Petitioner

Versus

Shri Kinshuk Sharma S/o Shri Shiv Sharan Sharma

-----Respondent

For Petitioner(s) : Mr. Suresh Sahni, Advocate with
Mr. Ram Mohan Sharma, Advocate

HON'BLE THE ACTING CHIEF JUSTICE MR. MANINDRA MOHAN SHRIVASTAVA

HON'BLE MR. JUSTICE PRAVEER BHATNAGAR

(Through Video Conferencing)

Order

2/12/2023

1. Heard on admission.
2. By this petition, the petitioner prays to initiate contempt proceedings under Article 215 of the Constitution of India read with Section 15 of the Contempt of Court Act, 1971 in respect of alleged contemptuous pleadings filed in S.B. Civil Writ Petition No.1973/2022 pending consideration before this Court.
3. Learned counsel for the petitioner would submit that in the application filed by the respondent under the caption "complaint regarding continued non-hearing and adjudication of urgent matter in S.B. Civil Writ Petition No.1973/2022", an attempt has been made to malign and scandalise this Court. The contents of the application have been quoted in Para 5 of the present petition to submit that the application seeks to scandalise the Court and intimidate various limbs attached to the scheme of justice delivery system and further that the respondent is already facing criminal contempt proceedings.
4. The contents of the pleadings of the respondent show that he is mainly raising grievance of non-listing of his case and that

the cases of other parties are being listed. He has also made an allegation against the members of the Bar. The allegation of bias is made against the counsel stating that the respondent has filed an eviction case against the relative of the counsel. He is also alleging that dozens of false cases have been registered against the respondent and their advocates, which they get listed in short intervals and conveniently get placed within the relevant cause-list for hearing and adjudication by the High Court while his petition for simple direction languishes unheard.

5. The respondent is already facing criminal contempt proceedings in D.B. Criminal Contempt Petition No.02/2022 wherein *suo motu* cognizance was taken against the respondent.

6. We find that though an application for grant of permission to institute criminal contempt proceedings was submitted before the Advocate General, but the same has been declined.

7. The petitioner has prayed this Court to take *suo motu* cognizance.

8. We are inclined to issue notice to the respondent to show cause as to why *suo motu* cognizance be not taken and contempt proceedings be not initiated against him.

9. Notice be issued to the respondent on payment of P.F. within a period of one week. Notice be made returnable within a period of four weeks.

10. List this case after six weeks on a date to be fixed by the Office.

(PRAVEER BHATNAGAR),J (MANINDRA MOHAN SHRIVASTAVA),ACTING CJ