

ITEM NO.112

COURT NO.5

SECTION IIIA

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
CIVIL APPEAL NO(s). 3498 OF 2005

SHASHI KIRAN

Appellant (s)

VERSUS

SUHAIL AHMED SIDDIQUI

Respondent(s)

Date: 18/05/2012 This Appeal was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN  
HON'BLE MR. JUSTICE DIPAK MISRA  
(VACATION BENCH)

For Appellant(s) Mr. Sandeep Bhalla,Adv.(NP)

For Respondent(s) Rr-Ex-Parte

UPON hearing counsel the Court made the following  
O R D E R

In terms of the signed order, the appeal  
is dismissed. However, considering the fact  
and circumstances of the case, the cost imposed  
upon the appellant is made easy.

(O.P. Sharma)  
Court Master

(M.S. Negi)  
Court Master

(Signed order is placed on the file)

C.A. No.3498/2005

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3498 OF 2005

SHASHI KIRAN

Appellant

VERSUS

SUHAIL AHMED SIDDIQUI

Respondent

O R D E R

This appeal has been preferred against the order  
dated 21.11.2004, communicated to the appellant on

11.2.2005 against the order of the Disciplinary Committee of the Bar Council of India by which the Disciplinary Committee of the Bar Council of India did not accept the submission of the appellant against the respondent-Advocate.

The facts and circumstances giving rise to this appeal are that the appellant filed a complaint before the Bar Council of Delhi in respect of misconduct of the respondent. Simultaneously, in respect of one of the grievance that while the documents had to be served by the appellant upon the respondent as a counsel, he had made certain endorsement on the receipt making derogatory remarks against the appellant. The appellant raised this

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grievance before the High Court and the Bench hearing the matter had taken a serious note of it and issued notice to the respondent and dealt with the matter in accordance with law.

So far as the complaint of the appellant before the Bar Council of Delhi is concerned, it was dealt with in accordance with law and no substance was found in the complaint made by the appellant. The complaint of the appellant stood rejected vide order dated 15.5.2001.

Aggrieved, appellant approached the Bar Council of India by filing the Statutory Appeal No.38/2001 which has been dealt with by a three Member Disciplinary Committee vide order dated 21.11.2004 holding that the present appellant had been chasing the respondent Advocate to settle her personal score. The Committee further deprecated this kind of practice and imposed a cost of ₹10,000/- (Rupees Ten Thousand) on the appellant.

Aggrieved, appellant approached this Court and this

Court vide order dated 12.7.2005 stayed the recovery of cost of `10,000/-.

This appeal is pending before this Court for last seven years without any progress. The matter was listed C.A. No.3498/2005

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for final hearing in the last summer vacation on 22.6.2011. However, the proceedings show that none appeared on behalf of the appellant and thus the appeal was adjourned.

The appeal is listed today. None appeared. It shows that the appellant is no more interested to pursue the appeal. Even otherwise there are concurrent finding of fact recorded by the Disciplinary Committee of the Delhi Bar Council as well as by the Bar Council of India in appeal.

In view of the above, we do not see any cogent reason to proceed further. The appeal is accordingly dismissed. However, considering the fact and circumstances of the case, the cost imposed upon the appellant is made easy.

.....J.  
[DR. B.S. CHAUHAN]

NEW DELHI  
MAY 18, 2012

.....J.  
[DIPAK MISRA]