

ITEM NO.10

COURT NO.5

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

I.A.NOS. 61-65 & 66-70/2014 in Civil Appeal No(s).
2637-2641/2013

SREEJA V

Appellant(s)

VERSUS

RAJESH PULIYANKALATH

Respondent(s)

(for directions and office report)

Date : 16/10/2014 These applications were called on for hearing today.

CORAM : HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI
HON'BLE MR. JUSTICE N.V. RAMANA

For Appellant(s) Mr. V. Giri, Sr. Adv. (AC)

Petitioner-in-person, Adv.

For Respondent(s) Mr. Venkita Subramoniam T. R., Adv.

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

This matter was listed before us on several occasions. The petitioner is appearing in person. Since, it arises out of a matrimonial dispute, we made Herculean efforts to settle it. At least on three occasions, we summoned the respondent who remained present. Learned counsel for the respondent pleaded that if some amount is fixed as permanent alimony, the matter can be settled but the petitioner has no desire to settle the matter.

This matter presents peculiar facts. While the petitioner-wife has obtained a decree of restitution of conjugal rights which has become final, the respondent-husband has obtained a decree of divorce which the petitioner has not challenged. Looking to the nature of the dispute and the question of law involved, we requested Mr. V. Giri, learned senior counsel, to assist the Court. Mr. Giri has not only ably assisted us but also given a written note which exhibits a balanced approach.

Yesterday, i.e. on 15.10.2014, when we were hearing Mr. V. Giri, learned senior counsel, the petitioner repeatedly interrupted him despite our warning. Mr. Giri told us that in his absence, the petitioner had gone to his office and abused him. This fact was confirmed by Mr. Giri's juniors and Mr. M.P. Vinod, advocate-on-record who was present in the Court yesterday. We record our extreme displeasure about the petitioner's behaviour. We are sorry to know that Mr. Giri, who was requested by us to assist this Court should be put in such embarrassing situation. We regret the inconvenience caused to Mr. Giri. We thank him for the assistance rendered by him and relieve him of this onerous task.

We are told by the respondent-husband that the petitioner has not allowed him to meet his child since 2005. We, therefore, directed the petitioner to bring the child, Master Aditya, to this Court but the petitioner has not brought him to this Court. The petitioner has disobeyed our orders. Not only has the petitioner disobeyed our orders, she has tried to overreach the court by circulating letters to our residence. The letters are purportedly addressed to Shri R.M. Lodha, Former Chief Justice of India by Mr. Justice V.R. Krishna Iyer, Former Judge, Supreme Court of India. On these letters, it is written by hand "CC : To Honourable Mrs. Justice Ranjana Desai" and "CC : To Hon'ble Mr. Justice N.V. Ramana". On the envelop, the address is written in hand and it is shown that it is sent by Justice V.R. Krishna Iyer.

We deprecate this conduct.

In the circumstances, we are not inclined to take up this matter. The matter be removed from our Board. We direct the Registry to place this matter before Hon'ble the Chief Justice of India for appropriate orders regarding placing it before appropriate Bench.

(Gulshan Kumar Arora)
Court Master

(Indu Pokhriyal)
Court Master