

ITEM NO.1

COURT NO.9

SECTION XIV

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

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).15929-15930/2004

(From the judgment and order dated 23/04/2004 in Civil Revision No. 918/2003 and judgment and

order dated 28/05/2004 in Review Petition No.210/2004 of The HIGH COURT OF DELHI AT N.

DELHI)

SHEILA DEVI & ORS.

Petitioner(s)

VERSUS

NARBADA DEVI

Respondent(s)

(With prayer for interim relief and office report)

Date: 31/08/2005 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE S.H. KAPADIA

For Petitioner(s)

Mr. S.D. Singh, Adv.

Mr. Vijay Kumar, Adv.

Mr. Anurag Kishor, Adv.

Mr. Vishwajit Singh, Adv.

For Respondent(s)

Mr. Sudhir Nandrajog, Adv.

Mr. Sanjay Pathak, Adv.

UPON hearing counsel the Court made the following

O R D E R

On 29/8/2005 when this matter was placed before us for admission, we found that

there was a letter dated 27/08/2005 circulated by the advocate-on-record for the petitioners Mr. Vishwajit Singh, stating that counsel for the petitioners Mr. S.D. Singh was down with

viral fever and was, therefore, unable to

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Contd..2/-

attend the Court. On this ground two weeks' adjournment was sought for. When the matter

was called out, counsel appearing for the respondent stated before us that the facts stated in

the letter are not true and that very morning Mr. S.D. Singh had appeared against him in a

matter before Court No.1(Item No.41). We, therefore, directed the advocates to be present

before us today, and they are before us today. Having regard to the fact that we never suspect

the truthfulness of facts stated in the letters circulated by counsel, particularly if any

accommodation is sought on personal grounds, we expect members of the Bar not to state

anything which is false. It is a breach of faith if false statements are made in letters circulated

to the Court only for the sake of seeking an adjournment. This practice must be deprecated

and we feel that we cannot ignore these matters any further. To be fair to Mr. S.D. Singh,

advocate and also to the advocate-on-record, who circulated the letter, we call upon them to file

affidavit in reply stating the circumstances under which such a letter with incorrect fact was

circulated. We shall thereafter, consider what action should be taken in the matter, and

whether or not the matter should be referred to the Bar Council of India or the Bar Council concerned for appropriate action.

As prayed for, we grant them a week's time to file affidavit in reply. Put up soon

thereafter.

(Sheetal Dhingra)
y Dhawan)

Court Master

(Vija

Court Master