

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).17265/2010

(From the judgement and order dated 18/05/2010 in WP No.
3082/2010 of The HIGH COURT OF DELHI AT N. DELHI)

P. THULASIDHASS Petitioner(s)

VERSUS

THE JAWAHARLAL NEHRU UNIVERSITY AND ORS. Respondent(s)

(With appln(s) for permission to place addl. documents on record
and permission to appear and argue in person)

Date: 16/08/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE H.L. GOKHALE

For Petitioner(s) Petitioner-In-Person

For Respondent(s) Mr. Mohinder Jit Singh Rupal,adv.

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

Mr. Mohinder Jit Singh Rupal, learned counsel
accepts notice for the respondents. Leave granted.

The appeal is allowed in part in terms of the
signed order and delete the following direction in
the order dated 18.5.2010 of the High Court: "It is
made clear to the petitioner that he will be heard
only through a counsel and not otherwise." The
following observation of the High Court: "Let the
petitioner approach the Delhi High Court Legal Aid
Committee so as to take the assistance of a lawyer"
is treated as an advice/suggestion to appellant, if
he has any difficulty in making his submissions.

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(O.P. Sharma) (M.S. Negi)
Court Master Court Master
(Signed order is placed on the file)

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6726 OF 2010
[Arising out of SLP [C] No.17265 of 2010]

P.Thulasidhass ... Appellant

Vs.

O R D E R

Mr. Mohinder Jit Singh Rupal, learned counsel accepts notice for the respondents. Leave granted. Heard.

2. The appellant, a Research student in law, applied for Fox International Fellowship 2010-2011. As he was not selected, he filed a writ petition before the Delhi High Court for quashing the selections. He appeared in person before the High Court. The High Court by the impugned interim order dated 18.5.2010 noted the submission of the respondents that one Ms. Abha Yadav has been chosen for the Fox International fellowship 2010-2011. It granted time for filing counter affidavit and rejoinder and directed the appellant to implead the selected candidate as a respondent. It adjourned the matter to 27.8.2010. In the course of the said order, the High Court observed as follows :

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"The petitioner arguing the present case has no manners to maintain the court decorum. Let the petitioner approach the Delhi High Court Legal Aid Committee so as to take the assistance of a lawyer."

Ultimately, the High Court directed as follows :

"It is made clear to the petitioner that because of his rowdy conduct, he will be heard only through a counsel and not otherwise."

Feeling aggrieved by the said observation and direction, the appellant has filed this appeal by special leave.

3. The appellant submitted that he did not intend to show any disrespect to the High court or misbehave in court and if there was any shortcomings in his submissions made before the High Court, or the manner in which he made the submissions, the same may be pardoned as he had no experience in appearing in court. He stated that whatever he stated before the High Court was in his anxiety to put forth his case, as a party-in-person. He also submitted that he will conduct himself properly and do everything necessary to maintain the decorum in court during future hearings. He tendered his unconditional apology for his conduct which led to the said order.

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4. Normally we would have directed the appellant to apply to the High Court itself for modification of the order. The appellant is a young researcher, who has Bachelor's and Master's degrees in law. He is at the threshold of his carrier. He has realized the need to behave with discipline and decorum in court. In the circumstances he deserves an opportunity to argue his case in person.

5. In the circumstances, recording his unconditional apology and assurance that he will behave properly, we allow the appeal in part and delete the following direction in the order dated 18.5.2010 of the High Court: "It is made clear to the petitioner that he will be heard only through a counsel and not otherwise." The following observation of the High Court: "Let the petitioner approach the Delhi High Court Legal Aid Committee so as to take the assistance of a lawyer" is treated as an advice/suggestion to appellant, if he has any difficulty in making his submissions.

.....J.
(R V Raveendran)

New Delhi;

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.....J.

August 16, 2010.

(H L Gokhale)