

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

CONTEMPT PETITION (C) NO. 224 OF 2011 IN CIVIL APPEAL NO.10660/2010

RAJESHWAR SINGH

Petitioner(s)

VERSUS

SUBRATA ROY SAHARA & ORS.

Respondent(s)

(With appln(s) for directions and permission to file additional documents and exemption from filing O.T. and permission to file additional affidavit and intervention and c/delay in filing)

Date: 12/03/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN

For Petitioner(s) Mr.K.K.Venugopal, Sr.Adv.  
Mr.Harish N.Salve, Sr.Adv.  
Mr.H.P.Raval, ASG  
Mr.Gopal Sankaranarayanan, Adv.  
Mr.Rajiv Nanda, Adv.  
Mr. B. Krishna Prasad, Adv.

For Respondent(s) Mr.Ram Jethmalani,Sr.Adv.  
For Resp.No.1 Mr. Kuldip Singh, Adv.

For RR No.2 Dr.Rajiv Dhawan, Sr.Adv.  
Mr. Gaurav Kejriwal, Adv.  
Mr.Keshav Mohan, Adv.  
Mr.Arshdeep Singh, Adv.  
Mr.Gaurav Chowdhary, Adv.

For RR No.3 Mr.Vikas Singh, Sr.Adv.  
Mr.Umesh Babu Chaurasia, Adv.  
Mr. Dharmendra Kumar Sinha, Adv.

For State of U.P. Mr.Gaurav Bhatia, AAG  
Ms.Alka Sinha, Adv.  
Mr. Anuvrat Sharma, Adv.  
Mr. Prashant Bhushan, Adv.

For Applicant in Mr.Shailendra Singh, Adv.  
I.A.Nos.8 & 9/13 Mr.Kaushal Yadav, Adv.

For RR No.6 Mr. Manoj K.Mishra, Adv.  
Mr.Deepak Mishra, Adv.

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

I.A.No.8 of 2013 in Contempt Petition (C) No.224 of 2011

This is an application by Mohammed Arif, who claims to be the Managing Director of Channel One, for permission to intervene in the proceedings of Contempt Petition (C) No.224 of 2011 and to take on record the documents described as transcript of some compact disc.

We have heard Shri Shailendra Singh, learned counsel for the applicant for about 20 minutes and perused the averments contained in the

application and the additional affidavit filed with IA No.9 of 2013 and are convinced that the application is per-se frivolous and vexatious and merits nothing but dismissal.

The applicant is not at all connected with the main case involving challenge to the grant of 2G Licences and Allotment of Spectrum or the Contempt Petition filed on behalf of Shri Rajeshwar Singh, Assistant Director, Enforcement Directorate. He has made various allegations against Sahara group and the non-petitioners in the contempt petition but has not disclosed as to how he is connected with the investigation being conducted by the CBI into what has been termed as '2G Scam'. The compact disc on which the applicant has placed reliance is not verified from any authenticated source or tested in a laboratory with the voice sample of the persons whose conversation is said to have been recorded.

Therefore, by granting leave to such applicant, the Court cannot enlarge the scope of enquiry in the contempt case.

With the above observation, the application is dismissed.

For filing an application, the disposal of which has resulted in wastage of the Court's time, the applicant is saddled with cost of Rs.1,00,000/- (Rupees One lakh).

The amount of cost shall be deposited with the Supreme Court Legal Services Committee within a period of four weeks from today.

If the applicant fails to deposit the amount of the cost within the time stipulated hereinabove, the Secretary, Supreme Court Legal Services Committee shall recover the same as arrears of land revenue.

I.A.No.9 of 2013 In I.A.No.8 of 2013 In Contempt Petition (C) No.224 of 2011

In view of dismissal of I.A.No.8 of 2013, I.A.No.9 of 2013 is also dismissed.

CONTEMPT PETITION(C) NO.224 OF 2011 IN CIVIL APPEAL NO.10660/2010

At the commencement of hearing, Shri Ram Jethamalani, learned senior counsel for respondent No.1 and Dr.Rajiv Dhawan, learned senior counsel for respondent No.2, raised preliminary objections to the maintainability of the contempt petition and also questioned the taking suo motu cognizance by the Court.

Dr.Dhawan relied upon a judgment of this Court in Biman Basu vs. Kallol Guha Thakurta and another (2010) 8 SCC 673 and some other precedents.

The arguments remained inconclusive.

For completion of the arguments, list the case on 15.04.2013.

(Satish K.Yadav)  
Court Master

(Phoolan Wati Arora)  
Court Master