

IN THE SUPREME COURT OF INDIA  
INHERENT JURISDICTION

CONTEMPT PETITION (CIVIL) DIARY NO.7225 OF 2022

IN

WRIT PETITION (CRL.) NO.10 OF 2017

ABDUL GANI BHAT

PETITIONER(S)

VERSUS

CHIEF JUSTICE OF J AND K HIGH COURT

RESPONDENT(S)

O R D E R

On 06.11.2017, this Court had passed the following order:

"The present writ petition was filed by the petitioner in-person.

This Court on 21st August, 2017, had passed the following order:

"Having heard the petitioner, who has appeared in person, we are of the view, that the petitioner is not in a position to express and canvass the legal position, emerging out of the pleadings of the case.

We accordingly consider it just and appropriate to appoint Ms. Preetika Dwivedi, Advocate as Amicus Curiae to assist the Court in the matter. The Registry is directed to furnish a complete set of writ petition to the learned Amicus Curiae, within one week from today."

The Amicus Curiae was appointed in the matter as the pleadings and the arguments were not discernible.

We have heard Ms. Preetika Dwivedi, learned Amicus Curiae and Mr. Bharat Sangal, learned counsel appearing for the High Court of Jammu & Kashmir.

On a perusal of the assertions made in the writ petition, we find that more than 20 cases have been filed by the petitioner. We do not intend to comment on the said cases. However, we request the High Court to dispose of the cases filed by the petitioner, as expeditiously as possible. Learned counsel appearing for the High Court shall apprise the Registrar (Judicial) of the High Court of Jammu & Kashmir, of the order passed today, who in turn, shall place a note before Hon'ble the Chief Justice of the High Court. The cost imposed vide order dated 15th July, 2013, in 561-A Cr.P.C. No:174/2012 & IA (Cr.) No.:191/2013 by the High Court of Jammu and Kashmir, is made easy.

Barring the aforesaid, we are not inclined to entertain any other prayer.

The writ petition is, accordingly, disposed of. There shall be no order as to costs.

It appears that the petitioner had E-filed a contempt petition which was found defective on scrutiny and Registry has processed the matter informing the petitioner in person asking him to cure the defects. The order dated 29.10.2021 passed by Registrar (J-II) is extracted as under:-

Perused record.

The Writ Petition (Crl.) No. 10/2017 was disposed of by the Hon'ble Court vide its Order dated 06.11.2017.

Contempt Petition (Crl.) D. No. 25905 of 2018

On 13.07.2018, Prof. Abdul Gani Bhat, Petitioner-in-Person e-filed a Contempt Petition (Crl.) D. No. 25905/2018 which was found defective on scrutiny and a letter dated 25.11.2019 was issued and handed over to the Petitioner-in-Person on 04.02.2020 for curing the defects as notified in the letter by the Registry.

With respect to the above mentioned letter of the Registry, the Petitioner-in-Person had responded to defect nos. 1 and 3 vide his letter dated 11.02.2020 but the defect no. 4 to 7 have not been responded/ cured by the Petitioner-in-Person till date.

Also, the Petitioner-in-Person has not filed the

Contempt Petition after curing the defect Nos. 1 and 3.

Contempt Petition (C) D. No. 8894 of 2020

Prof. Abdul Gani Bhat, Petitioner-in-Person had filed another Contempt Petition in the matter on 04.03.2020 which was also found defective and a letter to that effect was served on the Petitioner-in-Person vide e-mail dated 20.01.2021.

The Petitioner-in-Person had on 10.02.2021 responded to the defects notified by the Registry via e-mail but the same were not properly cured and responded.

In view of the above, both the Contempt Petitions as mentioned above filed by the Petitioner-in-Person are liable to be lodged for not curing the defects within the stipulated time. Therefore, the Contempt Petition (Crl.) D. No. 25905/2018 and Contempt Petition (C) D. No. 8894/2020 filed by the Petitioner-in-Person are lodged under the provisions of Order VIII Rule 6 (3) and (4) of the Supreme Court Rules, 2013.

Party may be informed accordingly."

It appears that the petitioner has not taken steps for curing the defects. The Office Report dated 06.10.2023 reads as under:-

"It is submitted for the information of the Hon'ble Court that the Writ Petition (Crl.) No. 10 of 2017 was disposed of by this Hon'ble Court on 06.11.2017. Copy of Order dated 06.11.2017 is marked as Annexure A-4 at page Nos. 14-15 of C.P. (C) D. No. 7225/2022 paper books.

Thereafter, Petitioner-in-person has filed two contempt Petition (Crl.) D.Nos. 25905/2018 & 8894/2020 and the same were lodged vide Ld. Registrar (J-II) Order dated 29.10.2021. Copy of Order dated 29.10.2021 is marked as Annexure A-5 at page Nos. 16-17 of C.P. (C) D. No. 7225/2022 paper books.

Now, Petitioner-in-person has on 07.03.2022 e-filed C.P. (C) D. No. 7225/2022 but the same is defective for the following reasons:-

1. Title of the Contempt Petition is not correct. 2. Hon'ble The Chief Justice of Jammu & Kashmir High

Court has been made a party in the Contempt Petition. Petitioner-in-person has not clarified the same.

3. Application for permission to appear and argue in person is not given.

4. Official as well as residential address of the alleged contemnors is not given.

5. The Contempt Petition is not addressed to Hon'ble the Chief Justice of India.

6. Application for exemption from filing notarized affidavit is not in proper format. Despite this registry's letter dated 14.06.2022 and reminder dated 23.12.2022, petitioner-in-person has not cured the defects so far.

The default on the part of Petitioner-in-person for not curing the defects is reported to the Hon'ble Court (In Chambers) with this office Report."

Today, none is present on behalf of the petitioner.

The petition stand dismissed for non-prosecution.

.....J.  
[SANJAY KAROL]

NEW DELHI;  
9<sup>th</sup> OCTOBER, 2023

ITEM NO.1729 REVISED COURT NO.9 SECTION X

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

CONTEMPT PETITION (CIVIL) Diary No(s). 7225/2022 in Writ Petition  
(Crl.) No.10/2017

ABDUL GANI BHAT Petitioner(s)

VERSUS

CHIEF JUSTICE OF J AND K HIGH COURT Respondent(s)

Date : 09-10-2023 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KAROL  
[IN CHAMBER]

For Petitioner(s) Petitioner-in-person (N.P.)

For Respondent(s)

The Court made the following  
O R D E R

The petition is dismissed in terms of the signed order.

Pending application(s), if any, also stand disposed of.

(SWETA BALODI)  
COURT MASTER (SH)

(RENU BALA GAMBHIR)  
COURT MASTER (NSH)

(Corrected Signed order is placed on the file)

ITEM NO.1729

COURT NO.9

SECTION X

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 SCONTEMPT PETITION (CIVIL) Diary No(s). 7225/2022 in Writ Petition  
(CrI.) No.10/2017

ABDUL GANI BHAT

Petitioner(s)

VERSUS

CHIEF JUSTICE OF J AND K HIGH COURT

Respondent(s)

Date : 09-10-2023 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KAROL  
[IN CHAMBER]

For Petitioner(s) Petitioner-in-person (N.P.)

For Respondent(s)

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(SWETA BALODI)  
COURT MASTER (SH)(RENU BALA GAMBHIR)  
COURT MASTER (NSH)

(Signed order is placed on the file)