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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS.(CRL) 13/2023**

SUDHA PRASAD Petitioner

Through: **Mr. Gagan Gandhi, Advocate**

Versus

UDAY PAL SINGH Respondent

Through: **Mr. Kunal Khanna & Ms.Sonia
Dhariwal, Advocates for Contemnor**

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

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20.05.2024

1. The present contempt petition under Article 215 of the Constitution of India read with Section 15 of the Contempt of Courts Act, 1971 read with Section 482 of the Code of Criminal Procedure, 1973 has been filed by the petitioner seeking strictures against the respondent and punish him for scandalising the authority of this Court and interfering with the administration of justice.
2. Admittedly, the petitioner and respondent have been litigating for a property, being a piece of land measuring 2 bighas in Village Chilla Saroda Bangar (now known as New Ashok Nagar, New Delhi) and different civil as well as criminal proceedings are pending against each other.
3. On 24.08.2022, the respondent posted a video on his social media handle i.e. Facebook and Twitter condemning the orders passed by this Court and made allegations against the Judges of this Court.



4. The petitioner in the present petition has averred that by posting said video, the respondent has willfully interfered in the work of the Court and obstructed in the administration of justice and also scandalized and lowered the authority of this Court. The video has specifically defamed the Judges of this Court and has alleged that he is disclosing the “true fate” of the Courts in front of “Janta ki Adaalat”. Hence, a prayer is made to take criminal contempt action against the respondent and to punish him in accordance with law.

5. On 03.10.2023, this Court directed the respondent/contemnor to file an affidavit to show cause as to why criminal proceedings be not initiated against him.

6. On the last date i.e. 03.05.2024, the respondent sought further time to file affidavit. Pursuant thereto, the respondent has placed on record affidavit dated 18.05.2024 wherein he has pleaded that he has complied with the directions of this Court dated 03.05.2024 and deleted the contemptuous contents posted on his facebook and twitter account. The respondent contemnor has averred that the petitioner has willfully and deliberately manipulated the contents posted by him on social media, which are as under:-

| S.No. | <i>True Contents of video posted by respondent</i> | <i>Tempered with contents on behalf of the petitioner</i> |
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| 1. | <i>I only want to say that we do not have resources to go to the Supreme Court against your order. But you, sitting on the chair of justice, which is considered as equivalent of God in the eyes of litigant, are doing illegal acts.</i> | <i>I only want to say that we do not have resources to go to the Supreme Court against your order, but you, sitting on the chair of justice, which is considered as equivalent of God in the eyes of litigant, you are playing fraud upon us and are doing illegal acts. (in last para at page no. 195 of the petition)</i> |
| 2. | <i>This is a tradition of Hon'ble Judges of Delhi High Court that they hand over the land of</i> | <i>This is a standard procedure/a traditional practice which is undertaken by the Hon'ble Judges of</i> |



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| | <i>private persons illegally to the DDA.</i> | <i>Delhi High Court, whereby the Hon'ble Court through fraudulent means hand over the private land of individuals to DDA. (from list line at page no. 194 of petition)</i> |
| 3. | <i>Why are you running justice system to rob the public and to waste their money.</i> | <i>Why are you robbing people of their hard earned money and why are you running this flawed system of judiciary. (in starting of last para at page no. 194 of petition)</i> |
| 4. | <i>I do not know as to how many people are getting affected by such type of act but I just want to disclose this fact before public that what type of Judge you are and what you are doing with public. I do not understand that what is your setting with DDA that you are passing every order in favour of DDA and are destroying earned money of public by way of destroying the house & family of public.</i> | <i>I do not know as to how many people are getting affected by this but I just want to bring this issue out there in public and reveal the autocracy of the court and apprise the individuals regarding yours acts and the kind of judicial officers you are. I do not understand as to what kind of transactions are taking place between you and DDA that you are passing every order in favour of DDA and destroying the hard earned money of public. (in last para at page no. 196 of the petition)</i> |

7. The contemnor has pleaded that his intention was neither to defame this Court nor the Judges of the Court nor to scandalise them to lower the majesty of the Court and has tendered unconditional apology.

8. During the course of hearing, the video recording of the offending social media post was played before this Court. Upon hearing and watching the said video, we find that the respondent contemnor has, very evidently, lowered the dignity of the Court.

9. The translated version of the video posted by the respondent contemnor is as under:



“Yes, Namaskar to all of you, I am Udaypal Singh speaking from New Ashok Nagar, Delhi. I want to tell you that orders are passing illegally now-a-days by Delhi High Court in Delhi, the capital of the country. The Hon'ble Justice of Delhi High Court do not feel it necessary to see the documents available in file even after the Advocates who are arguing in the matter or any party who is contesting in person request for reading the said document. They have already said that we have decided to pass the certain order irrespective of any document you show to us.

Now, I want to tell you one thing that my wife Monika Singh had filed a writ petition in Delhi High Court against DDA bearing writ petition No.10480 of 2019. When the writ petition was filed then the Hon'ble Justice had passed a status-quo order in the matter. When this case had come up for hearing, then the Hon'ble Justice Sh. Sachin Datta had passed order to vacate the stay. There were many documents in case file and were shown to the Hon'ble Justice, but he denied to consider any of them and said that when DDA is stating that the land has been awarded then it is awarded and did not listen to anything and passed an order to hand over the land to DDA.

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I have preferred an appeal based on the order dated 04/08/2022 passed by the Hon'ble Single Bench of Delhi High Court in writ petition number 10480 of 2019. That the said appeal bearing LPA number 478 of 2022 was come up for hearing before the Division Bench of this Hon'ble Court and this, appeal was come up for hearing before the Division Bench of Hon'ble Chief Justice. When the case come up for hearing then at the initial stage, the Hon'ble Chief Justice Sh. Satish Chand Sharma specifically stated that I have to pass an order against you whether you show any document to me. I want to know Hon'ble Justice that when all your orders are decided in pre-plan manner and already well thought out, then why do you create the pretence of court proceedings? Why are



you running justice system to rob the public and to waste their money? You have copy pasted the entire decision of Hon'ble Justice Sh. Sachin Datta and in a very special manner, you have categorically mentioned at the end of the order sheet that based on the scrutinization of the documents available on record, we have passed this order. I want to ask you and want you to show me any one document in the file in which khasra number 389/263/1 has been shown i.e. any entry of khasra no. 389/263/1 in the award, any entry in possession proceeding or any entry in the notification. How do you see this from your eyes the khasra number in the documents which is not even mentioned anywhere in the documents and thereafter you dismissed our appeal. This is a tradition of Hon'ble Justices of Delhi High Court that they hand over the land of private persons illegally to the DDA.

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Hon'ble Justice, please note that the DDA does not become the owner of land based only passing the award and you are also well aware of laws. DDA can only become the owner of land if it is handed over to DDA by way of possession proceeding under section 15 of Delhi Development Act, 1957 or if it was placed at the disposal of DDA by way of notification issued under section 22(1). When there is no entry of khasra number in the notification as well as in the possession proceedings then how can DDA become owner of subject land? You have ignored all these facts and have passed order to hand over my property to the DDA. I only want to say that we do not have resources to go to the Supreme Court against your order. But you, sitting on the chair of justice, which is considered as equivalent of God in the eyes of litigant, are doing illegal acts day and night. I do not know as to how many people are getting affected by such type of act but I just want to disclose this fact before public that what type of Justice you are and what you are doing with public. I do not understand that what is your setting with DDA that you are passing every order in favour of DDA and are destroying earned money of public by way of destroying the house & family of public. Jai Hind.



10. The afore-noted expression and the video posted by him in social media shows that the respondent has made contemptuous allegations against the Judges of this Court and has thereby lowered the dignity of the justice delivery system. Accordingly, we hereby hold him guilty under the Contempt of Courts Act, 1971.

11. Re-notify on 19.07.2024 for arguments on Sentence.

12. The contemnor is directed to remain present physically before this Court on the next date of hearing.

SURESH KUMAR KAIT, J

MANOJ JAIN, J

MAY 20, 2024/uk