

Court No. - 49

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 538 of 2025

Petitioner :- Bano Bibi

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Dhirendra Kumar Srivastav, Rajesh Kumar Srivastava

Counsel for Respondent :- Azad Rai, C.S.C., Dhani Ram Pal, Dheeraj Kumar Yadav, Janardan Prasad Patel

Hon'ble J.J. Munir, J.

An affidavit has been filed on behalf of respondent no. 6- Jang Bahadur. Let it be taken on record and numbered by the office.

In the aforesaid affidavit, it is said that respondent no. 6 has no personal animosity with learned Counsel for the petitioner appearing in the Tehsil and he can never think about degrading any profession, much less the noble profession of law. He has also undertaken in paragraph no. 5 that he will never indulge in such an act in future.

At the same time, as we read the transcript of the telephonic conversation between the sixth respondent and the learned Counsel appearing for the petitioner appearing in the Tehsil, we find that he was just not personally aggressive towards the Counsel but spoke derogatory words for the legal profession. The entire transcript of the conversation is before us, recorded under the authority of the learned Registrar General.

Speaking in derogatory terms, about the legal profession, does not affect the profession alone but the entire Judicature of which the Bar is an integral part. There are not hundreds but thousands of remarks by Courts of Justice reminding Members of the legal

profession about their duties towards the litigants, the Court and their adversaries, virtually admonishing them, but very little has been thought about the strains under which the most important part of the judicature, that is to say, the Bar, functions in order to secure justice for the litigants.

It is sad that Members of the Bar, who virtually work like soldiers in times of peace to secure justice for citizens, are hurled with words of criticism from all quarters for the slightest human lapse or even matters beyond their control, working as they are under a very strained judicial system.

In these circumstances, for a member of the public, a litigant on the other side, to abuse a learned Counsel over telephone is a very serious matter which certainly, in our opinion, borders on criminal contempt. We did spare a thought of referring this matter to the criminal contempt Bench, forwarding the sixth respondent to that Bench, to be dealt with in accordance with law. But, given his unconditional remorse, we eschew that course and, instead, think that ends of justice would be met by administering him a severe warning to be careful in future and imposing upon him costs of Rs. 25,000/-, out of which Rs. 10,000/- will be paid to Mr. Waseem Akhtar, learned Counsel representing the petitioner before the Tehsil and Rs. 15,000/- deposited in account of the State Legal Services Authority. These costs shall be deposited by the sixth respondent within a period of fifteen days hence failing which these shall be recovered as arrears of land revenue by the Registrar General through the District Magistrate, Prayagraj.

In the circumstances, subject to the above orders, we exempt the personal presence of the sixth respondent.

The mobile phone, that has been sent forth to this Court by the

Registrar General in a sealed cover, shall be sent back to the Registrar General who will deliver it to Mr. Waseem Akhtar, learned Counsel representing the petitioner before the Tehsil.

Lay this matter as **fresh** on **09.07.2025**.

Let this order be communicated to the District Magistrate, Prayagraj through the learned Chief Judicial Magistrate, Allahabad by the Registrar (Compliance) **today**.

Let this order be also communicated to the learned Registrar General **today**.

Order Date :- 3.7.2025

Prashant D.