

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 011043 - 011044 /2024
[@ SLP (CIVIL) Nos. 9498-9499/2022]

SIDDHARTHA SINGH

Appellant(s)

VERSUS

ASSISTANT COLLECTOR FIRST CLASS/SUB
DIVISIONAL MAGISTRATE & ORS.

Respondent(s)

O R D E R

1. Leave granted.
2. These civil appeals arise from interim orders dated 01-12-2020 & 07-12-2021 passed by the High Court of Uttarakhand at Nainital in CLMA No.14165/2018 and WPMS No.763/2010 respectively.
3. Both these appeals are for expunging certain remarks made by the learned Judge of the High Court about the conduct of the appellant who is a practicing advocate in the High Court of Uttarakhand.
4. We have gone through the orders dated 01-12-2020 & 07-12-2021 and have carefully examined the circumstances in which the observations were made by the learned Judge. Having considered the observations made by the Hon'ble Judge, we are of the opinion that neither the conduct, nor the circumstance warranted recording of the remarks. These remarks are

unjustified and illegal. In similar circumstances when comments were made by the same learned Judge against another practicing advocate, this Court intervened and by judgment in "*Neeraj Garg vs. Sarita Rani & Ors. (2021) 9 SCC 92*" allowed the appeal and set aside all those observations.

5. We disapprove the proclivity of the learned Judge of the High Court in making remarks against advocates for nothing so serious to take note of. In view of the fact that perception of the same learned Judge has already been noticed in *Neeraj Garg (supra)*, we do not need to re-examine the approach adopted by the learned Judge even in this case.

6. In view of the above, we set aside the two orders passed by the learned Judge on 01-12-2020 & 07-12-2021 to the extent that they relate to the conduct of the advocate and expunge the remarks made against the appellant.

7. The civil appeals are allowed accordingly.

.....J.
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.
[SANDEEP MEHTA]

New Delhi
September 24, 2024.

ITEM NO.45

COURT NO.14

SECTION X

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 (C) No(s). 9498-9499/2022

(Arising out of impugned final judgment and order dated 01-12-2020 in CLMA No. 14165/2018 & 07-12-2021 in WPMS No. 763/2010 passed by the High Court Of Uttarakhand At Nainital)

SIDDHARTHA SINGH

Petitioner(s)

VERSUS

ASSISTANT COLLECTOR FIRST CLASS/
SUB DIVISIONAL MAGISTRATE & ORS.

Respondent(s)

(IA No. 71026/2022 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 24-09-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s) Mr. Devadatt Kamat, Sr. Adv.
Mr. Javedur Rahman, AOR
Mr. Vikas Bahuguna, Adv.
Mr. Mudassir, Adv.

For Respondent(s) Ms. Namita Choudhary, AOR
Mr. Ashutosh Kumar Sharma, Adv.
Ms. Srishti Choudhary, Adv.
Ms. Shefali Choudhary, Adv.

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

1. Leave granted.
2. Civil Appeals are allowed in terms of the signed order.
3. Pending applications, if any, also stand disposed of.

(INDU MARWAH)
AR-cum-PS

(NIDHI WASON)
COURT MASTER (NSH)

(SIGNED ORDER IS PLACED ON THE FILE)