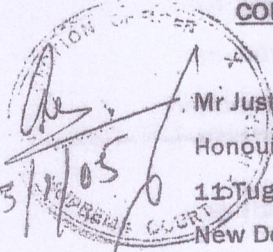


CONFIDENTIAL

COMPLAINT AGAINST MR JUSTICE VIJENDER JAIN OF DELHI HIGH COURT



Mr Justice RC Lahoti ji
Honourable Chief Justice of India
11 Tughlak Road
New Delhi 110011

Respected Sir

I wish to draw kind attention of your honour towards misconduct on record by Mr Justice Vijender Jain of Delhi High Court when he broke norms set for judges by not transferring the case/appeal to other judge/bench while he had family-relations with the plaintiff/respondent to the extent that the plaintiff/respondent Shri Hari Ram performed marriage of his grand-daughter from judge's official residence at 12 Ashok Road (New Delhi) on 25.04.2001 (copy of card on next page).

He even declined to transfer our appeal {RFA(OS)No.23/2003} in the matter Lala Om Prakash vs Hari Ram to another bench even though he had earlier applied mind to the same case numbering 1653/91 in the matter Hari Ram vs Lala Om Prakash at trial-stage in the Delhi High Court itself. His order dated 29.11.2004 to dismiss our appeal in undue haste has even several anomalies and unusual instructions apparent on record.

Even his conducting the proceedings at trial stage (when my father was alive) on various dates between October 2001 and December 2001 after the plaintiff performed marriage of his grand-daughter from his official residence at 12 Ashok Road (New Delhi) on 25.04.2001, was also against norms set for judges.

I will be obliged if your honour kindly gives me a personal hearing to reveal more detailed facts about biased judicial proceedings/orders and our hardships due to judicial torture. I had mentioned instances of such hardships to your predecessor Mr Justice VN Khare also (copy enclosed for your kind reference).

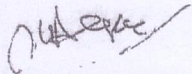
A handwritten signature in dark ink, located at the bottom right of the page.

I recall in a case involving former Prime Minister Shri PV Narsimharao, Honourable Supreme Court had commented that not only Justice must be done but also it must seem to have been done. How is it possible in our case when the bench-member/s may be in close proximity of the opposite side for which documentary proof is available for at least Mr Justice Vijender Jain?

I request your honour to kindly verify the facts from the records, and take necessary action to ensure justice.

Regards

Yours truly



SUBHASH CHANDRA AGRAWAL

1775 Kucha Lattushah

Dariba DELHI 110006 (India)

03.01.2005

lead copy

VJ
3.1.06



*Smt. Bimla Devi & Hari Ram Kapre wale
request the pleasure of your company on the auspicious
occasion of the wedding of their grand daughter*

Parul

(D/o Smt. Meenu & Sh. Pradeep Aggarwal)

with

Ankit

(S/o Smt. Shashi & Sh. Raghu Nandan Singhal)

on Wednesday, the 25th April, 2001

at 12, Ashoka Road, Opp. Hotel Kanishka,

New Delhi

*Manju & Justice Arun Kumar
Vijay & Arun Kumar Gupta*

*Mridul & Rakesh
C 3260036, 3288317*

21/5
FOR KIND PERSONAL ATTENTION OF HONORABLE CHIEF JUSTICE OF INDIA

Mr Justice VS Khare ji
Honorable Chief Justice of India
SUPREME COURT OF INDIA
Tilak Marg
New Delhi 110001

Sir

I wish to draw kind attention of your honor towards my family's facing hardships in Delhi High Court because of case/s patronized by a former Judge who is now elevated to the Apex Court. The plaintiff in the case/s is well introduced to most judges of the Delhi High Court and the Supreme Court, and the judges are showing open bias in his favor so bluntly as if no code of conduct as mentioned recently by your honor exists. The said judge had violated all codes of decency against our family in proxy-war even when he was an advocate in High Court.

One of the judges hearing the case for several hearings and forcing us to pay huge sums as compromise forgot that he was so well known to the plaintiff that his official residence was used by the plaintiff for marriage of his grand-daughter. Recently a Judge postponed first 66 cases to later dates in his hurry to pass a biased order by making the case involving my aged father as number one. Pace of cases filed on us moves according to requirement of the influential plaintiff who utilizes all facilities of High Court including its guest-house for one full week and best of medical facilities too frequently.

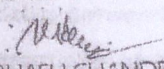
Several other judges have also been showing similar favors to the plaintiff but have been careful enough not to leave any such motive on records. I request your honor to guide me if I can lodge my grievances without fear to some authority by naming mentioned Judges. Secondly, are the two incidents narrated in the earlier paragraph tenable as proof of bias? Since our orthodox Constitution denies any action against misconducting judges of higher courts, kindly also guide me if a probe is possible by investigating agencies like Central Vigilance Commissioner against influential plaintiff for his misuse of government machinery and influencing intimacy amongst judges is possible?

I have always brought on record my grievances from time to time in form of 'Letters to Editors' in newspapers as suggestions for improvement. I request your honor to kindly guide me to save our family from unbearable torture in Courts.

Thanking you

With regards

Yours etc


SUBHASH CHANDRA AGRAWAL
(Guinness Record Holder for most Letters to Editors)
1775 Kucha Lattushah
Dariba DELHI 110006

(India)
Tel(O) 23263756 23267870
(R) 23252626 23253636
Fax 23254036
Mobile 9810033711
E-mail subhashmadhu@sify.com

21.05.2003

RTI Act: SC in dock

By Manoj Mitta/TNN

New Delhi: A complaint of "misconduct" against the acting chief of Delhi High Court, Justice V. Jender Kumar Jain, has put Supreme Court in the dock under the Right to Information (RTI) Act.

In an interface between RTI and judicial accountability, Central Information Commission directed Supreme Court on April 3 to disclose the status of the complaint against Justice Jain within 15 working days.

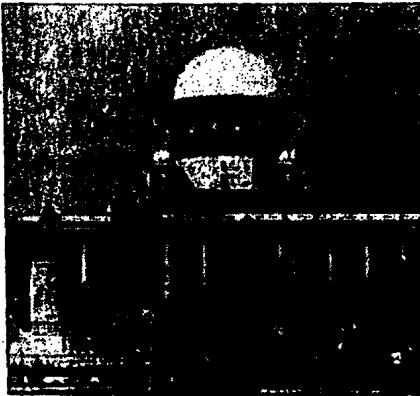
The court's registry will by then have to seek orders of Chief Justice of India Y. K. Sabharwal on the manner in which information about the complaint can be given in keeping with, as the commission put it, "the decorum vital to the administration of justice in the highest court in the land".

Ironically, both Sabharwal and Jain have, in their own different ways, spearheaded the ongoing clean-up in Delhi: While a Supreme Court Bench headed by Justice Sabharwal has cracked down on shops in residential areas, a high court bench headed by Justice Jain has ordered the demolition of illegal constructions.

Further, four days after the commission passed the order related to the complaint against him, the government issued a notification on April 7 appointing Justice Jain as acting chief of the Delhi High Court.

Though the commission's order does not name Justice Jain and simply says that the complaint is against "a judge of the Delhi High Court", TOI discovered his identity by accessing the records of the commission.

The complaint, which has not been made public, alleges that Justice Jain, violating norms set for judges, decided a suit filed by



somebody with whom he had "family relations".

The proof it cites of the alleged connection is a wedding card, which shows that the litigant, Hari Ram, performed the marriage of his granddaughter in April 2001 in what was then the official residence of Justice Jain: 12, Ashoka Road.

According to the complaint, Justice Jain, sitting singly, went on to conduct proceedings between October and December 2001 in Hari Ram's suit. Three years later, sitting in a two-judge bench, Jain dealt with an appeal in the same matter and decided it in November 2004 in favour of Hari Ram.

It was in such circumstances that, in January 2005, a member of the party that lost the case, Subhash Chandra Agrawal, complained against Justice Jain to then chief justice of India R. C. Lahoti.

Justice Jain, when contacted, declined to comment, saying he was not aware of the complaint at all. Agrawal too refused to talk to Times of India saying he was awaiting CJI's response to the commission's direction on his complaint.

The commission came into the picture as Agrawal, a businessman from the walled city of Delhi, invoked RTI Act in October

2005 to find out the status of his complaint. Following his application under RTI Act, the public information officer of the Supreme Court informed Agrawal in November that the complaint had been "kept on record in the relevant high court file". Agrawal again drew a blank, when he filed the first appeal, as provided in RTI Act, before a superior officer in the Supreme Court registry.

Subsequently, Agrawal filed the second appeal before Central Information Commission, which is an independent appellate body set up under RTI Act.

On February 7, a Bench of the commission consisting of Wajahat Habibullah and Padma Balasubramanian held that the Supreme Court registry's reply to Agrawal was "clouded in obscurity, as it did not indicate the manner of accessing the information (on the status of the complaint) nor the form of redress that the appellant might seek".

Going back to the commission within a fortnight, the Supreme Court registry clarified that Agrawal's complaint had actually not been sent to the Delhi High Court as the apex court had "no administrative jurisdiction" over high court judges.

Therefore, whenever it received any such complaint, the registry can only place it before the chief justice of India and "thereafter it has no access to or information about the complaint".

Since the registry disclosed that the complaint against Justice Jain was still pending in the office of the chief justice of India, the commission passed its latest order on April 3 putting the onus on Justice Sabharwal to find a way within 15 working days of balancing the citizen's right to information with the "decorum" of the administration of justice.

No distrust between President and me in judge's elevation: Sabharwal

"Media must be careful in verifying facts before projecting issues to the public"

Legal Correspondent

NEW DELHI: The outgoing Chief Justice of India, Y.K. Sabharwal, on Saturday denied that there was any "distrust" between him and President A.P.J. Abdul Kalam in the elevation of Justice Vijender Jain as Chief Justice of the Punjab and Haryana High Court.

Addressing a press conference before demitting office, Mr. Justice Sabharwal said: "I have the highest regard for the President. This is another case in which the media has to share the blame for tarnishing the image of the judiciary by projecting it based on unverified facts. Since a considerable amount of damage has been done to the image of judiciary in this case, I must clear the air of suspicion."

Narrating the sequence of events, he said the wedding of the grand-daughter of Hariram was conducted in the house of Mr. Justice Jain in 2001 (at that time he was a Judge of the Delhi High Court) on a request from another Judge, Justice Arun Kumar. However, Mr. Justice Jain did not know anything



SATISFACTORY TENURE: Chief Justice of India Y.K. Sabharwal at his residence in New Delhi on Saturday. —PHOTO: RAJEEV BHATT

about Hariram. In 2004, there was a civil dispute between Mr. Hariram and his brother and this suit was said

is put against Justice Jain in his tenure as a judge for about 13 to 14 years. Simply because his residence was used as a venue for conducting a marriage it cannot be said that Justice Jain had favoured Hariram. During the trial of the case, there was not even a whisper from anyone that Justice Jain knew Hariram. The matter has not even come to the Supreme Court on appeal. We had gone through the complaint and found there was nothing in it to stop him from being elevated when his turn for elevation came."

"Let us bury the matter"

Mr. Justice Sabharwal said: "Justice K.G. Balakrishnan and other senior judges agreed on the elevation of Justice Jain and whatever I told you, I had put in on record and sent it to the Government and the President. There was absolutely no distrust between me and the President and whatever details sought by the President were provided. Though it is history now, it is a matter of sadness for me but let us now

bury the matter." The CJI said: "It deserves to be remembered by all, including the media, that conventionally judges do not have any forum and I am happy that they do not have any forum to go to the press and go on issuing clarifications."

He said that since there happened to be so much of responsibility on the shoulder of the media, it should be careful in verifying the facts before projecting them before the public."

Similarly, on media reports against Justice Jagdish Bhalla (who was recommended for elevation as Chief Justice of the Kerala High Court), he said Mr. Justice Bhalla's wife was said to have purchased some land for a price lesser than the market value.

The leaders of the Bar from Allahabad were called and the issue was discussed with them.

The local lawyers who were in the know of things denied that there was any truth in the allegations and only thereafter Mr. Justice Bhalla's name was considered and the matter was now pending with the Government.

F.No. 15011/29/2009-HR-III
Ministry of Home Affairs
Human Rights Division

1st Floor, A Wing, Lok Nayak Bhawan
Khan Market, New Delhi, the 15th
March, 2010.

To

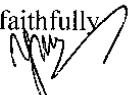
Shri Subhash Chandra Agrawal
1775, Kucha Lattushah, Dariba,
Chandni Chowk,
DELHI-110006

Subject: Appointment of NHRC Chairperson.

Sir,

Reference is invited to your e-mail dated 18th December, 2009 on the subject cited above. It is true that both Mr. Justice R.C.Lahoti and Mr. Justice Y.K.Sabharwal were eligible for appointment to the post of Chairperson, NHRC as per the provisions of the Protection of Human Rights Act, 1993. However, it was recorded in our notes, that their acceptance to the post is doubtful. In the case of Justice R.C.Lahoti the then Home Secretary had spoken to the learned Judge enquiring about his availability for the post. It appears that Mr. Justice Lahoti indicated that he was otherwise very busy and would not be in a position to accept the offer.

Because of the adverse media and other reports with regard to Mr. Justice Y.K.Sabharwal, it was felt that the highly sensitive post of Chairperson NHRC may not be offered to him. Accordingly, it was recorded on the file that Mr. Justice R.C.Lahoti and Mr. Justice Y.K. Sabharwal 'are not inclined/not available for different reasons'. As the offer of the post was made to Mr. Justice Lahoti orally there is no correspondence recorded between the Union Government and Mr. Justice Lahoti. However, the conversation between them had been reported by the then Home Secretary to the Home Minister.

Yours faithfully

(T.K.Sarkar)
Section Officer
Tel: 24616775

Flemant Sampat
Registrar



SUPREME COURT OF INDIA
NEW DELHI-110001

PH. : 23385265 (OFF.)
23384533 (FAX)

Dated: April 21, 2006

To

Shri Suhash Chandra Agrawal,
1775, Kucha Lattushan,
Dariba,
Delhi.

Sub: Order of Central Information Commission in Review of
Appeal No. CIC/A/3/2006.

Sir,

I am to inform you that pursuant to the Order passed by Central Information Commission in the above referred matter, which was received in the Supreme Court Registry by fax on 12th April, 2006, the matter was placed before Hon'ble the Chief Justice of India for orders. The following Order was thereupon passed by Hon'ble the Chief Justice of India.

"The matter of accessing the information, coming within the purview of Right to Information Act, has been provided in the Act itself. The Act also provides remedial machinery in case any person is aggrieved from the order passed or information provided by Central Public Information of a public authority.

As far as the present case is concerned, the record shows that the complaint made by Shri Subhash Chandra Agrawal was placed before Hon'ble Shri R.C.Lahoti the then Chief Justice of India, on 5th October, 2005. No action on the complaint was directed and it was ordered to be kept in the file of Delhi High Court maintained in the office of Chief Justice of India. A letter dated 10th February, 2005 written by Shri Subhash Chandra Agrawal was received from the Secretary to President of India. It

- 2 -

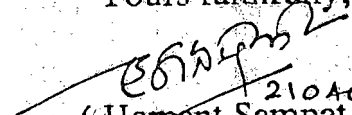
was placed before my learned predecessor on 24th February, 2005. No action on this letter was, however, directed. A reminder dated 30th September, 2005 from Shri Subhash Chandra Agrawal was also placed before my learned predecessor and was directed to be kept in Delhi High Court file.

Neither Supreme Court nor Chief Justice of India is the appointing or disciplinary authority in respect of Judges of superior Courts, including Judges of High Courts. Be that as it may, I have also examined the complaints made by Shri Subhash Chandra Agrawal and find no merit in them."

Please acknowledge the receipt of this communication.

Thanking you,

Yours faithfully,


(Hemant Sampat)
Appellate Authority
under RTI,
Supreme Court of India.

Copy:

The Registrar,
Central Information Commission,
Block-4, Vth Floor,
Old JNU Campus,
New Delhi - 110067.



DELHI HIGH COURT DAILY CAUSE LIST

(For 25th, April, 2003)

COURT NO. 21

HON'BLE MR. JUSTICE J.D.KAPOOR

FINALS

- | | | | |
|-----------------------------------------------------------------------------------|--------------------------------------------------------|---|--------------------------------------------------------------------------------------------|
| 1. S 139/1968
(NO. 1)
PH
(NOT TILL 12/8/2003) | ABDUL MAAVEET
VS.AISHA KHATOON | D | MK SHARMA
M.A.ZAIDI VB ANDLEY
RAJBIR SEHRAWAT |
| 2. S 583/1967
IA 4736/2002
(NOT TILL 12/8/2003) | BAKSHISH SINGH DHALIWAL
VS.UOI | D | MANMOHAN SINGH VOHRA
SAMEER AGGL. |
| 3. S 219/1972 &
RAMACHANDRAN | SH. SS HASSAN VS
SH. SM ALI KHAN BAHADUR | F | P.NAGESH,GS SISTANI
BD SHARMA,MG

JAYANT TRIPATHI,DK NAG
SUNANDA RAO,PB SHARMA |
| PARIJAT SINHA | | | |
| 4. S 136/1976
IA 8066/1994
IA 420/1999
BIDAWAT
(NOT TILL 13/8/2003) | HINDUSTAN VIDYUT PROD.LTD.
VS.FINOLEX CABLES & ORS. | D | B.MOHAN,SUNITA HARISH
RAJAN TRIPATHI
NK KANTAWALA, SAROJ |
| 5. S 462/1977
(NOT TILL 13/8/2003) | CENTRAL BANK OF INDIA
VS.NEW NAAZ FINANCE | E | FM KAPUR,F.HASAN
SD SHARMA,MS VOHRA |
| 6. S 1101/1977 &
LUTHRA
WITH S 675/1998 LC BIJLANI
(NOT TILL 30/04/2003) | CHETAN C.BIJLANI VS
LC BIJLANI | F | NANDINI SAHNI,SK
NARESH THANAI, |
| 7. S 346/1979
IA2345/1994
IA345/1990
(NOT TILL 17/8/2003) | TARAWANTI DEVI
VS.VIJAY KOHLI | D | SP SINGH SANAT KR
B. MOHAN A.B. DIAL
KR KANTAWALA |
| 8. S 741/1979
(NOT TILL 18/8/2003) | VIJAYA BANK VS
M/S DAVIS & WHITE (I) LTD. | D | MS DEWAN
SK LUTHRA MS SETHI |
| 9. S.335/1980
WITH S 1505/1984
(NOT TILL 18/8/2003) | GOBIND RAM VS AMAR SINGH | D | RAJIV KR
JAGJIT SINGH |
| 10. S.310/1980
(NOT TILL 18/8/2003) | UMA NARULA VS INDIAN
INSTITUTE | D | ARUNIMA DWIVEDI |
| 11. DELETED | (S 375/1981 DISMISSED AS WITHDRAWN 23/4/2003) | | |

12. S 675/1981 & P.SRIDHARAN VS D SA KHAN PRADEEP JAIN
NARENDER GODA
(NOT TILL 20/8/2003)

13. S 404/1982 SH.RATTAN LAL VS D VIJAY KISHAN, KM
PANIKAR
(NOT TILL 21/8/2003) SH. SN BHALLA JN PATEL, ANIL KHER

14. S 1515/1982 SATISH PARKASH MALHOTRA D RAJINDER MATHUR, VB
ANDLEY
(NOT TILL 21/8/2003) VS. JIWAN LAL KAPOOR VN PARIHAR, MANBIR SINGH
DAYAL RK VARSHNEY, KAVERI

14A S 1395/1982 GURBAX SINGH VS. RAVINDER DAYAL
N.G. NANDA MS VOHRA
(NOT TILL 4/5/2003) DEEP MALA RAJIV BEHL
KAVITA YASHMEET RK TOMAR

15. PR 59/1983 & SR SHARMA VS F JK SETH CP WIG PS BAXI
WITH PR 19/1983 STATE SHALINI KAPOOR RAVI
GUPTA
IA 3046/2000 (AS ITEM NO. 1)
(NOT TILL 21/8/2003)

16. S 512/1983 & BP MARDIA VS D ASHOK MARWAHA, ANIL
KHER
IA 435/1996 HIRA LAL & ORS. DR BHATIA
(NOT TILL 21/8/2003)

17. S 400/1983 M/S RAMNATH EXPORTS P.LTD VS F KIRAN KALRA, MOHIT
DHINGRA
THE CHAIRMAN, AIR INDIA G N AGGL, VIKRANT
DHAWAN C S SETHI, SISIR
SHARMA
(NOT TILL 28/04/2003) ALOK PRASAD, B
SEHSHGIRI

18. S 674/1983 SATWANT KUMAR SHARMA F REENA KHANNA, SK
KHANNA
(NOT TILL 21/8/2003) KRISHAN KUMAR
SINGH BEENA SHAW SONI RK

19. S.1636/1983 RITURAJ TEXTILES & GENL IND.P. MS DEWAN ANUJA NARAIN
IA 168/1995 LTD.VS INDIAN HANDLOOM CO. D LAXMI NARAIN
(NOT TILL 21/8/2003)

20. DELETED (S 586/1984 DISMISSED IN DEFAULT 23/4/2003)

21. DELETED (S 736/1984 BEFORE OTHER BENCH FOR 14/5/2003)

22. S 831/1984 & RAJIV PREM VS D GL RAWAL VK MAKHIJA
WITHS 832/1984 KEY STONE PLUS PARMOD AHUJA
(NOT TILL 21/8/2003)

23. S 1415/1984 & M/S ANAND MOTORS VS D KC DUA, HL RAINA,
WITH S 576/1981 NEW INDIA ASSURANCE CO. LTD. SHARAD KAPUR, VINAY
BHASIN
IA 7682/1998
(NOT TILL 18/5/2003)

24. DELETED

25. S 1259/1984 (NOT TILL 7/5/2003) E

26. S 1557/1984 (NOT TILL 7/5/2003) E

27. S 1654/1984 (NOT TILL 7/5/2003) E

28. S 157/1985 (NOT TILL 14/5/2003) E

29. S 265/1985 (NOT TILL 14/5/2003) E
30. S 440A/1985 (NOT TILL 14/5/2003) E
31. S 1245A/1985 (NOT TILL 21/5/2003) E

32. S 750/1985 FEDERAL BANK LTD. D BK SOOD
FIRST FIVE PH VS.JK EXPORTS & ORS. RC AHUJA HARISH
MAGON
(NOT TILL 21/5/2003) VINOD TYAGI

33. PR 39/1985 & VIDYA SAGAR VS D KRP KATHURIA
WITHS 3326/1991 STATE & ORS. KP KAPUR
IA 8205/2000 ATUL JAIN
(NOT TILL 22/5/2003)

34. S 1710/1985 M/S ASHOKA ESTATE P.LTD. VS. DR BHATIA, ATUL KUMAR
WITH S 342/1980 M/S. DEWAN CHAND BUILDERS P. INDERJIT SINGH, SL
DUTTA
(NOT TILL 24/7/2003) LTD. D RS BEDI, AMRITA SANGHI

35. DELETED (S 868/1985 DISMISSED IN DEFAULT 23/4/2003)

36. S 698/1986 (NOT TILL 21/5/2003) E

37. S 1949/1986 (NOT TILL 21/5/2003) E

38. S 521/1986 PURSHOTTAM D.BANSAL VS D ARUN JAITLEY, RAVI
GUPTA
SUNITA P.BANSAL YK JAIN RK JAIN
MAHESHWARI PATHAK MA KHAN

39. DELETED (S 1616/1986 DISMISSED IN DEFAULT 23/4/2003)

40. DELETED (S 2396/1986 DISMISSED IN DEFAULT 23/4/2003)

41. S 47/1987 (NOT TILL 21/5/2003) E
42. S 601/1987 (NOT TILL 21/5/2003) E
43. S 1141/1987 (NOT TILL 21/5/2003) E
44. S 1238/1987 (NOT TILL 21/5/2003) E
45. S 1984/1987 (NOT TILL 28/5/2003) E

46. DELETED (S 34/1987 DISMISSED IN DEFAULT 23/4/2003)

47. S 733/1987 SH. L. KUMAR THR' LRS. D RAJIV GUPTA, MUKUL
ROHTAGI
(NOT TILL 27/4/2003) VS.SMT.HAR PIARI & ORS. MOHINDER GUPTA
GUPTA GAURAV DUGGAL RAVI
MANISH VASHISHT

48. DELETED (S 734/1987 DISMISSED IN DEFAULT 23/4/2003)

49. S 2381/1987 & ANIL KUMAR VS D NK JAGGI PUNIT AGGL.
(NOT TILL 14/7/2003) UOI ALKA MARWAHA

50. DELETED (S 922/1988 DISMISSED IN DEFAULT 23/4/2003)

51. S 1286/1988 (NOT TILL 8/5/2003) E

52. S 1335/1988 (NOT TILL 28/5/2003) E
53. PR 60/1989 (NOT TILL 28/5/2003) E
54. S 88/1989 (NOT TILL 28/5/2003) E

55. S 129/1989 & M/S FENNER INDIA LTD. VS P.VENUGOPAL, SP MAGO
IA 11163/1998 KAYKAY FLUID SEALS & MOULDED RUBBER PROD KM
SHARMA, RAJEEV KAPUR
IA 3025/1999 E
(NOT TILL 10/9/20003)

56. S 1666/1989 & KANSHIRAM VS E CHANDER GUPTA, RN
CHAWLA
WITH S 2002/1989 SMT. SHANTA DEVI
(NOT TILL 8/5/2003) DIVYA HASIJA
BHUPINDER SINGH

57. S 2133/1989 & SMT. LATA CHAUHAN VS E NIVEDITA SHARMA
IA 6516/2001 SH. LS BISHT VK RAINA MAMTA MEHRA
(NOT TILL 14/5/2003) GEETA MITTAL
V. SHEKHAR
RK TRAKRU MALDEEP
SIDHU
INDERJEET SIDHU
MAMTA MEHRA

58. PR.43/1989 SHEIKH MERAJUDDIN VS STATE D M.AHMED PR MONGA
OP SINGH ZUBEDA BEGUM
RP JAIN JP SINGH

59. CO 6/1990 MONGA PERFUMERY & FLOUR MILLS VS HEMANT SINGH, VP
GHIRAIYA
M/S AMIR CHAND OM PARKASH SRIDHAR CHITLEY,
(NOT TILL 21/07/2003) E PRAVEEN ANAND

60. S 2973/1990 ARTI BHARGAVA VS. KAVI KUMAR ON VOHRA,
IA 10637/1997 BHARGAVA (THR' LRS) E PC DHINGRA
IA 11054/1998 VK MAKHIJA
IA 2794/2000 VANDANA KHURANA
IA 3474/2000, IA 6659/2000, IA 9271/2000, IA 9272/2000, IA 9719/2000, IA
3164/2001
IA 4019/2001, IA 5002/2001, IA 8492/2001, IA 8656/2002

61. S 132/1990 & M/S. AMIR CHAND OM PARKASH VS. VP GHIRAIYA, PRAVIN
ANAND
CCP 194/1996 M/S. MONGA PERFUMERY & FLOUR MILLS PRAKASH KUMAR, SAI
KRISHNA
IA 7615/1996 CCP 112/1996 E BINNY KALRA
(NOT TILL 21/07/2003)

62. S 602/1990 ALAHABAD BANK VS E GIRISH VERMA, BL WALI
M/S. DAYAL LABS VISHNU MEHRA,
(NOT TILL 28/05/2003)

63. S 1533/1990 SH. SUNIL BUCKSHEE VS. SH. KM RAJESHWAR, BD SHARMA
IA 3799/1990 BUCKSHEE E P. BANERJEE MS DEWAN
IA 4413/1996
CCP 66/1994, CRL.M 193/1992, IA 6717/1993,
IA 6372-73/1993 IA 11443/1992
(NOT TILL 28/05/2003)

64. S 2765/1990 BANK OF BARODA VS E SUBHASH GOEL, KB SONI
HARISH CHANDRA BHASIN MK ARORA, PRAMOD
B. AGGL LALITA
KOHLI, MANOJ SWARUP
(NOT TILL 28/05/2003) PRAVIN GAUTAM,

65. S 3552/1990 VAP ENTERPRISES VS. E ANIL KR. KHER, KP
SINGH
U.O.I. SS SABHARWAL
R. JAWAHAR LAL
(NOT TILL 28/05/2003)

66. S 2963/1991 & HOME DECOLAM VS E KM GAJARIA, AJIT
SINGH
WITH S 2202/1995 JAWAHAR LAL NEHRU UNIVERSITY & ANR NANDITA CHANDRA SS

JAIN

IA 289/1994 7297/1999
(NOT TILL 20/7/2003)

AK SINGLA JP GUPTA

67. S.1653/91
AGGL.

SH.HARI RAM VS LALA OM PARKASH

SP AGGL PRAMOD B

D

SN MARWAHA ASHOK

MARWAHA

68. S 3843/1991

KARIMUDDIN VS.
D.D.A.

E

DALIP SINGH, JM LAL
ML JAIN KP SHARMA
RUBY ALKA GUPTA
SANGEETA CHANDRA

(NOT TILL 23/07/2003)

ANJU LAL

69. S 210/1991 &

M/S VANTAGE CONST.P.LTD.VS D
M/S HYGENIC FOODS LTD.

GL RAWAL, ALOK GARG
ANURAG KR AGGL.
ML

MANGLA, V.K.SRIVASTAVA

SANGITA JAIN
SATISH KR ANURADHA

DUTT

AC GULATI SV BAHADUR
PARAMJIT BENIPAL

70. S 1530/1991

SH. VIKRAM PARSAD D
VS.SH. SAT NARAIN DALMIA

AS GAMBHIR, RAVI GUPTA
JK SETH, SHALINI KAPOOR
VIPIN SANGHI KP AGGL.

71. S 2860/1991 &
TANEJA

M/S HARISON TRADERS VS D

BN NAYYAR, VANDANA

GUPTA

IA 876/1996 MS. RAJ BHALLA

PINKI ANAND, RAVI

IA 9953/1994
IA 8330-31/1995
IA 7523/2000
WITH S 2861/1991
(NOT TILL 7/5/2003)

SUDHA SRIVASTAVA
SANGEETA BHARTI
SAURABH PARKASH
AB PANDEY

72. S 2047/1991 &
IA 8213/1991
IA 2866/1993

KAMAL KISHORE VS D
PARAMPARA OFFSET PRINTERS

ANAND YADAV, DD SINGH
RAMESH CHANDRA
KULBIR SINGH
GEETA MALHOTRA AVNISH

KR

73. PR 18/1992 &
IA 3673/1996
IA 3171/1999

VED GUPTA VS
STATE

D

ASHOK LALWANI
MK BAGGA SL GUPTA

74. S 411/1992 &
CRLM 3284/1996
THOMAS

OBEROI SONS (MACHINERS LTD.) CO. ON VOHRA, LN KUMAR,
VS SAMITI CO.LTD. D CV FRANCIS, GEORGE

JP GUPTA

75. S 2481/1992
SHARMA

TRILOKI NATH AGGARWAL VS D

MONIKA ROHTAGI, YR

AGGL

M/S JK IRON & STEEL MFG. CO.

PRADEEP NANDRAJOG, AP

PAUL

VIKRAM NANDRAJOG SK

76. S 399/1992
PURI

EXCEL CARDAMON CO. VS D

DS NARULA, SANJIV

SPICES TRADING CORPORATION LTD. SUJATA

KASHYAP, ASHWANI KR

AJAY K.DUTTA

77. S 4159/1992 KUMAR KAPOOR, SANJAYPODAR	SHADI LAL ENTERPRISES VS DELHI ADMN.	D	DS NARULA, ASHWINI MONIKA AVNISH AHLAWAT
78. S 1756/1992 & BHAGWAT IA 6125/1993 MATHUR (NOT TILL 30/04/2003)	M/S PAWAN HANS LTD. VS M/S TECHNOMICS LTD. & ORS.	F	AS GAMBHIR UMESH HB MALLAYA, S.K
79. S 21/1992 BHALLA IA 2433/1999	M/S MURAKA CABLES & COND. VS M/S SAE (INDIA)	VS E	DEVINDER SINGH RC PN SETHI JASMEET SINGH RC MADAN RS MATHUR
80. S 1277/1992 & MADAN IA 10220/1999	KASHMERE GATE CHARITABLE TRUST RAMULAL @ RAM CHAUDHARY	VS E	GS MATHUR, ADITYA SURYAKANT SINGHAL,
81. S 1365/1992 (NOT TILL 23/7/2003) KUMAR	SH. KS CHADHA VS. SH. TEJINDER PAL SINGH	E	SK GUPTA, KB SONI SANJAY GOSWAMI SN
82. S 1605/1992 & GAMBHIR CC S 4548/1992 NAYAR (NOT TILL 14/05/2003)	M/S. K. KISHORE (HUF) VS ALLAHABAD BANK	VS E	ARVIND KUMAR, AS RN GOEL, NAVIN GOEL GS SISTANI, RAJIV
83. S 1642/1992 PRAKASH IA 4876/1998 IA 310/2001	SEWA SINGH VS RS MALHOTRA	E	SP GUPTA SICHITRA RS MALHOTRA PK SHARMA
84. S 2394/1992 (NOT TILL 16/07/2003)	SHASHI DAGA VS. DHARAM VEER CHOPRA	E	AP GUPTA, HL KAPUR ASHISH KUMAR, SUCHITRA PRAKASH
85. S 3656/1992 TALWAR	M/S PK HIMAT SINGHKA & CO. VS. HARYANA TOURISM CORPORATION	VS. E	JP GUPTA, NALIN SS JAIN
86. S 359/93 IA 8552/96	HOTEL REGAL VS MS. SHEELA DASS E		S. BANSAL VIRENDER MEHTA NANDINI SAHNI LB RAI
87. S 2258/1993 (NOT TILL 30/04/2003)	JAGMAL VS. MUNICIPAL CORPORATION OF DELHI	F	RD JOLLY, RL KOHLI VK SAHNI ASHOK GUPTA
88. S 989/1993 MANGLA, S. BATRA	M/S. MICRONIX (INDIA) LTD. VS SH. JR KAPUR	VS F	AK GOEL, ML
89. S 1649/1993 & NAVGOLOKAN IA 11114/1995 NANDA IA 11115/1994 IA 9821/1995	GENERAL COMMERCE LTD. VS. NATIONAL INSURANCE CO. LTD.	E	SK KAUL, DM T. SRIDHARAN, RAJIV MT KHAN RADHA CHAWLA H. UPPAL
90. S 1903/1993 SANGHI	SH. MEHTAB SINGH VS. SH. OM PARKASH	E	INDERJIT SWAROOP, SS PANWAR, VIPIN AS GAMBHIR, YOGINDER

VASHISHT

LB RAI

91. S 1970/1993 & IA 7441/1993 NARANG	DR. SITA LAL VS K. NARENDERA	E	RS ENDLAW, RK SAINI RAJIV NANDA, URMIL
92. S 2568/1993 & SHARMA IA 7370/1998 SHARMA	RADHEY SHYAM GUPTA VS SATPAL	D	BALDEV ATREYA SR MAHABIR SINGH, SR PRADEEP DEWAN
93. S 2785/1993 SHARMA MATHUR PODDAR	SUBHASH KAKKAR VS N.D.M.C.	D	SANJAY KAROL, SP NEERAJ MALHOTRA BS R P GUPTA ALPNA
94. S 2364/1993 NEERAJ SALWAN ALPANA PODDAR	MR. BEHARI LAL VS N.D.M.C.	D	SANJAY KAROL MALHOTRA SUSHIL INDERJEET SIDHU
95. S 1369/1993 & JAIN, SUMITI ANAND GOEL, ASPREET SINGH CHAUDHARY ANIP SACHTHEY	M/S CONTINENTAL & EASTERN AGE. VS M/S. COAL INDIA LTD. & ORS.	D	SANAT NAVEEN MN TIKU, MUKTI ADARSH DAYAL AMIT PRASAD
96. S 1655/1993	NATIONAL INST.OF FASH.TECH. VS MITRA THOMAS KANAGARATNA	D	SUNITA HARISH S.MUKHERJEE
97. S 751/1994 & SINGLA, VALMIKI MEHTA IA 3291/1994 PODDAR, SANJAY DHAR IA 4515-14/1995	VANVIK PROTEIN FOODS P.LTD. VS BANK OF INDIA	D	AK SANJAY
98. S 2785/1994 & IA 10652/1994 SHARMA IA 1348/1995 RAVI SIKRI	PARAGON CONSTRUCTION (I) PLTD.VS NEW DELHI MUNICIPAL COMMITTEE	D	SHAILESH KAPUR VK GUPTA, PIYUSH VIKRAM DHOKALIA ARVIND CHAUDHARY
99. S.1238/1994 IA 11513/1996 SINHA 10734/2001	JASBIR SINGH KATARIA & ANR.VS SH KEWAL RAJ SADHNA	D	DS NARULA ASHWANI KR SUNITA HARISH LP SHAJU FRANCIS VANDANA MIGLANI
100.S 31/1994 IA 8851/1996 IA 9893/1999	SH. VC ADYA VS. M/S MAFATLAL APPAREL MFG. CO. LTD.	E	AP AGGL, ANIL KHER VINOD ADYA, DR BHATIA
101. S 588/1994 LAL	M/S RK BUILDERS VS D.D.A.	E	AMIT TRIKHA, SOHAN INDERJIT SIDHU, ANUSUYA SALWAN,

102. S 598/1994 & MALHOTRA, RAJESH IA 2675/1994 IA 7940/1995	SH. MULKH RAJ KAKKAR VS. NEW DELHI MUNICIPAL COMMITTEE 12890/1996	E	NEERAJ SANJAY KAROL, ANUSUYA SALWAN,
103. S 1039/1994 & SHARMA	CENTRAL BANK OF INDIA VS M/S SYSTEMS & SOFTWARE	E	DK MEHTA, VIVEKANAND GINNY JAITLEY, DP
104. S 1488/1994 & SHARMA ANUPAM DHINGRA	CORPORATION BANK VS. SUSHIL ENTERPRISES	E	PRADIP DEWAN, MANOJ SANJIV BHANDARI,
105. S 2274/1994 DAHIYA	M/S. SCANTEL P. LTD. VS. M/S. LATHAM (INDIA) P. LTD.	E	SK LUTHRA, RAJAN NARAIN DEEPA RATHORE, DEEP DAS SK KAUL, K. SAHNI NIKHIL SINHA KAVITA
106. S 2584/1994 SINGH	SH. HARJIT SINGH VS. PUNJAB & SIND BANK	E	YP NARULA, PREM WANT MUKUL DHAWAN,
107. S 2055/1995 SHARMA PATHAK	SH. PREM SAGAR GUPTA VS. CENTRAL BANK OF INDIA	E	P. NANDRAJOG, DK MEHTA ASHWINI SOOD, ANIL RAJENDER AGGL, SK
108. S 2724/1995 MAGGO IA 11861/1995 SWAMY IA 4506/1999, IA 12204/2000, IA 5939/2001 (AT 2.00 P.M.) (NOT TILL 30/04/2003)	RAM JETHMALANI VS. SUBRAMANIAM SWAMY	F	ARVIND K. NIGAM, PN ABHIJAT DR. ROXNA S
109. S 1930/1995 &	AJAY KAPOOR VS NEW DELHI MUNICIPAL COMMITTEE	F	SANJAY KAROL ALPANA PODDAR
110. S 139/1995 & KATYAL IA 437/1995 KUMAR IA 7980/1995	PUNJAB NATIONAL BANK VS SH. PRATAP SINGH 7437/1995	D	SS KATYAL, RAJESH CP SHARMA MANOJ MANOHAR LAL
111. S 1183/1995 & SINGH, MEENU AGGL. IA 6891/1995 GHIRAIYA, ATUL JAIN IA 4228/1995 IA 12414/1999	M/S R. BHARAT KUMAR & CO. VS KAMAL SYNTHETIC TEXTILE MILLS & ORS.	D	HEMANT VP P. ABRAHAM
112. S 1988/1995	PUNJAB NATIONAL BANK VS M/S SHANTI INDUSTRIES & ORS.	D	ML BHARGAVA SANJAY ABBOTT,
113. S 2392/1995 & MAKHIJA IA 9819/1995 ADESH JAIN	BANK OF BARODA VS JYOTI COLOUR PACKS P. LTD.	D	ARUN AGGL, VK VANDANA KHURANA
114. S 1305/1996 HEMANT (NOT TILL 18/5/2003) SBL LTD.	HIMALAYA DRUGS CO. VS M/S	E	SANDEEP SETHI SINGH

115.S 2530/1996 MADAN IA 10060/2000 PRAKASH SUB TO PH AS NO.1	COMMANDER SATYA PRASAD GHOSH (RETD.) VS. M/S. CROMPTON GREAVES LTD. D	VIPIN SANGHI,ADITYA MANSOOR ALI,OM
116.S 2897/1996 IA 11943/1996 K.P.GUPTA	SH. SURESH CHAND GUPTA F VS.SH. MAN MOHAN GUPTA	RS ENDLAW,MANDEEP KAUR PAWAN BEHL,AJIT S.BAWA NARESH KUMAR,
117. S 1409/1996 & WARRIER GUPTA,S.TARBEY	M/S. PRERNA BUILDERS P LTD. VS D SH. ANIL KUMAR KAUSHIK	NN AGGL,AJIT RAVI
118. S 2015/1996 & NANDRAJOG 119.S 1096/1997 SAPRA IA 5781/2002	GOEL ASSOCIATES VS D KK COOP.GROUP HOUSING SOCY.LTD. DR VISHWAMBHAR NATH D VS.SMT RAMA NATH	REEMA KALRA, D.R.BHATIA PRADEEP NANDNI SAHNI ASHOK RAJESH YADAV
120. S.988/98 AMIT S CHADHA RAJINDER DEEPAK JACOB	HARI RAM VS RAM KISHAN D	MS.RAJNI ANAND BL ANAND RS CHHABRA
121. S 2750/1998 & DHAWAN,RC BERI IA 11329/1998 SHARMA,SUNITA BHARDWAJ,	CONTAINER CORPN.OF INDIA LTD.VS D CONTAINER CORPN.OF INDIA EMP. UNION	RAJNISH RANJAN RAJENDERA AMIT VIDYARTHI, UMESH

25/04/2003 (ORIGINAL SIDE) | O - # | DELHI HIGH COURT

HON'BLE MR. JUSTICE J.D.KAPOOR

FOR DIRECTION

- | | | |
|------------------------------------------------------|-----------------------------------------------------------------------|----------------------------------|
| 1. OMP 146/2003
CAV.688/2003
IA 3984/2003 | JAGSON AIRLINES LTD. VS.
BANNARI AMMAN EXPORTS P.LTD. | BC PANDEY
INDU MALHOTRA |
| 2. OMP 302/2002
IA 8388/2002
WITH OMP 227/1997 | MAHARASHTRA STATE HANDLOOM
CORP. VS. ASSOCIATED OF
CORPORATIONS | AJIT WA RRIER
NEERAJ MALHOTRA |

NOTE:-

- 1) ITEM NO. 3 (S 219/1972) IN THE LIST MAY BE READ WITH NOT TILL 23/07/2003
- 2) ITEM NO.38 (S 521/1986) IN THE LIST MAY BE READ WITH NOT TILL 20/07/2003
- 3) ITEM NO. 58 (PR 43/1989) SHOWN IN THE LIST MAY BE TREATED AS DELETED.
- 4) ITEM NO. 60 (S 2973/1990) IN THE LIST MAY BE READ WITH NOT TILL 05/05/2003.
5. ITEM NO. 69. (S 210/1991) SHOWN IN LTHE LIST MAY BE TREATED AS DELETED.
- 6) ITEM NO. 70(S 1530/1991)IN THE LIST MAY BE READ WITH NOT TILL 17/07/2003
- 7) ITEM NO. 71(S 2860/1991)IN THE LIST MAY BE READ WITH NOT TILL 07/05/2003
- 8) ITEM NO. 72 (S 2047/1991) SHOWN IN THE LIST MAY BE TREATED AS DELETED.
- 9) ITEM NO. 73 (PR 18/1992) SHOWN IN THE LIST MAY BE TREATED AS DELETED.
- 10) ITEM NO.75 (S 2481/1992)IN THE LIST MAY BE READ WITH NOT TILL 04/05/2003
- 11) ITEM NO.76 (S 399/1992) IN THE LIST MAY BE READ WITH NOT TILL 04/05/2003
- 12) ITEM NO.81 (S 1365/1992)IN THE LIST MAY BE READ WITH NOT TILL 23/07/2003
- 13) ITEM NO.98 (S 1238/1994)IN THE LIST MAY BE READ WITH NOT TILL 04/05/2003
- 14) IA 4585/2003 SHALL ALSO BE TAKEN UP ALONGTWITH

S 2530/1996 ALREADY SHOWN
IN THE LIST AT ITEM NO. 115.]



Dr Justice AS Anand ji
Honourable Chairperson NHRC
National Human Rights Commission
Faridkot House
Copernicus Marg
New Delhi 110001

Ref Welcome NHRC step to include corruption as violation of human rights

Respected Sir


Kindly refer to the welcome news-item wherein your honour has taken right initiative to take corrupt practices also as invisible but definite tool for violation of human rights. Out of the three wings of democracy, only legislature and bureaucracy are under scanner leaving the third one namely judiciary continued to be totally unaccountable providing often misused immunity to judges of higher courts in free and democratic India even after six long decades of independence.

I with my bitter-most and inhuman experience noted that no authority in India including even the President, Supreme Court or Parliament owns responsibility to look into definite cases of misconduct by judges of higher courts. Neither of any authorities has been able to guide me where a commoner can reveal his/her plight of torture of human rights by some ones in higher judiciary. Role of NHRC will be incomplete till the Commission may be able to provide adequate relief to judicial victims created by misconduct of some judges openly violating conduct-code set for judges of higher courts. Kindly arrange to send me a copy of conduct-code set for judges of various courts including of higher courts.

I became diabetic, my younger brother became smoke-addicted, and my nephews lost interest in studies only due to tension created by judicial misconduct. Is this entire not violation of human rights for members of my family for which NHRC should look into? Even if your honour provides a personal hearing, it will be enough of consolation when I am able to show my complaint in this regard to your honour.

Seeking kind mercy of your honour for guidance and relief

With regards


SUBHASH CHANDRA AGRAWAL

(Guinness Record Holder for most letters in Newspapers)

1775 Kucha Lattushah

Dariba DELHI 110006 (India)

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CHANDRA CHANDRA PO 110000

SF 110001 12470000 IN

Courier No: 1100000000

TO: DR. JUSTICE AS ANANDJI FARIDKOT HOUSE

NEW DELHI 110001

FROM: SUBHASH CHANDRA AGRAWAL 1775, KUCHA LATTUSHAH

With regards,

15.05.2006

15.05.2006

CONFIDENTIAL

SHANTI BHUSHAN
Senior advocate

President's Secretariat
Central Registry
Dy. No. 47/0511
Date 3/8/06

Res: B-16, Sector 14, Noida
Ph. 0120-2512411, 2512632
4512695
Mobile 98110-30510

President's Secre	Off: C-67 Sector 14, Noida
C.A. Section	Ph. 0120-2512523,
Date 4-8-06	Fax: 0120-2512694
Dy 1403/06	

3/8/06

SUBJECT: Proposed elevation of Justice Vijender Jain (acting C.J. Delhi High Court) as Chief Justice, Punjab and Haryana High Court

Dear Prime Minister,

I understand that the Chief Justice of India has made a recommendation for the appointment by transfer of 4 Chief Justices of various High Courts recently. One of the recommendations is for appointing Justice Vijender Jain, acting Chief Justice of the Delhi High Court as Chief Justice of Punjab and Haryana High Court.

I want to bring to your notice that there are serious reservations among many judges of the Supreme Court about the integrity of Justice Jain. I understand that at least 1 member of the Collegium of the Supreme Court and at least 2 judges of the Supreme Court (who were earlier Chief Justices of the Delhi High Court) who were consulted by the Chief Justice on this proposed appointment had expressed serious reservations about this on account on his perceived lack of integrity. Recently, there had been a news report in the Times of India about how Justice Jain heard and decided a case of one Hari Ram (in his favour), despite the fact that he knew Hari Ram well enough to have married off Hari Ram's daughter from his house. The Committee on Judicial Accountability had written in this regard to the President recently. A copy of this letter is annexed for your reference.

I would therefore urge you to seek the views expressed by the members of the collegium and the other judges of the Supreme Court who were consulted by the Chief Justice in the matter and then perhaps seek a report from the IB about the integrity of Justice Jain, before giving consent for his appointment. It is of utmost importance that only persons of unimpeachable integrity are appointed to the critical offices of Chief Justices of various High Courts.

I would be happy to come and discuss this matter with you personally. I am taking the liberty of sending a copy of this letter to the President for his information.

With warm regards,

Sincerely,

(SHANTI BHUSHAN)

To,
Shri Manmohan Singh
Prime Minister of India
7 Race Course Road
New Delhi

Copy to:
The Hon'ble President of India

CONFIDENTIAL

SHANTI BHUSHAN
Senior advocate

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12/8/06

To,
Shri Abdul Kalam
President of India
Rashtrapati Bhavan
New Delhi

Subject: The proposed appointment of Justice Vijender Jain as Chief Justice of Punjab and Haryana High Court

Dear Rashtrapatiji,

We had earlier written to you on the above subject pointing out that there was a serious complaint against Justice Vijender Jain that he had decided a case of a litigant Hari Ram whom he personally knew well enough to have his granddaughter married from his official residence. I had also sent you a copy of a letter to the Prime Minister in which I had pointed out that the recommendation to appoint Justice Jain as Chief Justice of Punjab and Haryana High Court has been made despite the fact that at least one member of the collegium of the Supreme Court had strongly opposed the proposal and two other judges of the Supreme Court who had been Chief Justices of the Delhi High Court and who had been consulted had also opposed his elevation as Chief Justice on the ground of his integrity.

I have subsequently learnt (which fact has been reported in the Times of India as well) that the CJI had said that he had examined the complaint against Justice Jain and he found no merit in it. This summary rejection of the complaint against Justice Jain just prior to the recommendation for his elevation is clearly unreasonable in the light of the fact that prior to this, the Supreme Court's Public information officer had informed the complainant Subhash Agarwal that his complaint had just been placed in the file of the relevant High Court, since the Supreme Court had no jurisdiction over judges of the High Courts in such matters. Moreover, though the Chief Justice has given no reason for rejecting the complaint of Subhash Agarwal against Justice Jain, I am told that the reason informally being given is that the litigant Hari Ram is the father in law of Justice Arun Kumar (former judge of the Supreme Court and Delhi High Court), who was a close personal friend of Justice Jain. It is being said that Justice Jain agreed to lend his

residence for the wedding of Hari Ram's granddaughter because she was the neice of Justice Arun Kumar, though Justice Jain did not know Hari Ram personally.

I would like to point out that this explanation does not exonerate Justice Jain at all. Obviously, whether he knew Hari Ram personally or not, Justice Jain could not have been oblivious to the fact that this Hari Ram is the father of Justice Arun Kumar and whose granddaughter's wedding was performed from Justice Jain's residence. Actually, this fact that Hari Ram is the father in law of Justice Jain's close personal friend and colleague, makes it even more untenable for him to have heard and decided Hari Ram's case. One of the elements of the Code of Conduct or "Restatement of Judicial Values" as it is called, adopted by the Full court unanimously in 1997 is that no judge shall hear and decide a case of his relative or friend. The object of this is that judges should not decide cases where they know the litigant well enough, so that they might not be objective. The test for this has been laid down by the Supreme Court in Capt Ranjit Thakur's case, where it has been said that the principles of Natural justice are violated where a litigant can have a reasonable apprehension of bias against a judge. In this case, there can be no manner of doubt that the opposite party would have had and did have a reasonable apprehension of bias against Justice Jain, in the light of the fact that Hari Ram was the father in law of Justice Arun Kumar, who was close enough to Justice Jain to have asked him to lend his official residence for his nieces (Hari Ram's daughter in law's) wedding.

In these circumstances, I would request you to call for the correspondence of Shri Subhash Agarwal with the Supreme Court on the above subject and examine it yourself to come to an independent conclusion of whether it is reasonable to conclude in these circumstances that there is no merit in the complaint against Justice Jain.

Some of us from the Committee on Judicial Accountability would be happy to come and personally discuss this matter with you.

With warm regards,

Sincerely,

SD/-
(Shanti Bhushan)