

To
The Hon'ble Chief Justice of India
Supreme Court of India
New Delhi

Subject: Submission of Representation Seeking Protection of the Dignity and Independence of the Judiciary

Respected My Lord,

We, the undersigned concerned citizens, including Senior Advocates, Vice Chancellors, former police officials, academicians, and members of the Bar, write with a deep sense of concern and anguish regarding recent reports that the former Chief Minister, Shri Arvind Kejriwal, has made allegations against a sitting lady Judge of the Delhi High Court and has sought transfer of his case from the said Hon'ble Judge to another court.

Such allegations against a sitting Judge are unprecedented and raise serious concerns. It is a settled principle that a litigant cannot choose the Bench or the Judge before whom their case is to be heard. Further, openly attributing bias or motives to a sitting Judge, without any substantiated basis, strikes at the very foundation of judicial propriety, ethics, and discipline.

Permitting such conduct to go unchecked would set a dangerous precedent, enabling litigants to undermine the authority of courts and erode public confidence in the administration of justice. We respectfully submit that such actions warrant serious consideration and appropriate action, including initiation of suo motu proceedings, if deemed fit.

We therefore humbly request Your Lordship, as the custodian and guardian of the judicial system, to take cognizance of this matter and act in accordance with law,

so as to uphold the dignity, independence, and authority of the judiciary, and to prevent such practices from taking root.

With a deep sense of responsibility and hope, we submit this representation for Your Lordship's kind consideration.

Yours sincerely,

List of Signatories:

1. Prof. Sunaina Singh, Former Vice Chancellor, Nalanda University
2. Prof. Neerja Gupta, Vice Chancellor, Gujarat University
3. Prof. Vinay Kapoor, Former Vice Chancellor, Dr. B.R. Ambedkar National Law University, Sonapat, Haryana
4. Ms. Nirmal Kaur (Retd. IPS), Former Director General of Police, Jharkhand
5. Ms. Pinky Anand, Senior Advocate
6. Dr. Monika Arora
7. Ms. Kirti Uppal, Senior Advocate, Former President, Delhi High Court Bar Association
8. Mr. Ashok Kumar Kashyap, Advocate, Former Secretary, Delhi High Court Bar Association
9. Mr. Arun Bhardwaj, Senior Advocate
10. Advocates Avantika Pandey, Riya, Atulesh Saran Mathur, Dinesh Bhardwaj, Ramanand Gupta, Sanjay Dewan, Anish Dewan, Gaurav Bhardwaj, Amit Acharya, Girdhar Govind, and others

Representation to the Chief Justice of India

Seeking Initiation of Suo Motu Contempt Proceedings to Protect the Dignity
of the Judiciary

To
The Hon'ble Chief Justice of India
Supreme Court of India
New Delhi

Subject: Request for initiation of suo motu contempt proceedings to protect the dignity and authority of the judiciary.

Respected My Lord,

We, the undersigned members of the Bar and officers of the Court, write this representation with profound concern regarding recent developments in which serious and unwarranted allegations have been made against Hon'ble Justice Swarana Kanta Sharma of the Delhi High Court.

The independence of the judiciary is the bedrock of the Constitution and the rule of law. The credibility of the judicial system depends upon the public perception that judges discharge their constitutional duties impartially, without fear or favour.

While every litigant has the unquestionable right to avail remedies available under law including appeals, reviews, and transfer petitions the exercise of such remedies cannot become a vehicle to publicly cast aspersions upon the integrity of a sitting judge.

Allegations that undermine the impartiality of a judge, when made without substantive basis, have the potential to erode public confidence in the justice delivery system and amount to interference with the administration of justice.

The law on this issue is well settled.

Under the Contempt of Courts Act, 1971, criminal contempt includes any act that:

1. Scandalizes or tends to scandalize the authority of any court
2. Lowers the authority of the judiciary
3. Interferes with the due course of judicial proceedings

The Hon'ble Supreme Court has repeatedly emphasized that baseless allegations against judges strike at the very foundation of the justice system.

In **Re: Arundhati Roy (2002)**, the Hon'ble Supreme Court held that scandalizing the court by attributing motives to judges amounts to criminal contempt as it undermines public confidence in the judiciary.

Similarly, in **Prashant Bhushan Contempt Case (2020)**, the Court reaffirmed that imputing motives to judges and making statements that erode the authority of the judiciary constitutes contempt of court.

The Hon'ble Court observed that the foundation of the judiciary rests upon public trust, and any attempt to destroy that trust cannot be permitted in a constitutional democracy governed by the rule of law.

It is therefore deeply concerning that attempts appear to have been made to publicly question the impartiality and integrity of a sitting judge of the Delhi High Court.

VERDICTUM.IN

Such actions, if left unaddressed, risk creating a dangerous precedent whereby litigants may attempt to pressure courts or discredit judges whenever judicial orders do not favour them.

The Bar has historically stood as a guardian of the independence of the judiciary. As officers of the Court, we consider it our duty to bring this matter to the attention of this Hon'ble Court.

We therefore humbly request that this Hon'ble Court may consider initiating appropriate suo motu proceedings to examine whether the statements and actions in question amount to scandalizing the court or interfering with the administration of justice.

Any action taken by this Hon'ble Court, if deemed appropriate, will reaffirm the constitutional principle that the dignity and independence of the judiciary are inviolable and must be protected at all costs.

The strength of our democracy lies in the respect we accord to constitutional institutions, and the judiciary must remain above political contestation or public vilification.

With highest respect.

Yours sincerely