

BEFORE

THE HON'BLE MR JUSTICE UMA NATH SINGH,
CHIEF JUSTICE
THE HON'BLE MR JUSTICE T NANDAKUMAR SINGH

13.10.2015

Towards our last order, Shri Girish Narain Pande, the author of impugned letter and one of the members of the Trust, namely, Shri Pradip Kr. Singh are present in Court.

We have perused the report of the Director General of Police, Uttar Pradesh, Shri Jagmohan Yadav and also the report of Meghalaya Police.

During the course of hearing from the statement given by Shri Girish Narain Pande, it appears that the impugned letter was addressed to the judicial constitutional authorities by mistake. He has filed an affidavit along with unconditional apology and also undertakes to withdraw all such letters addressed to Judicial Functionaries forthwith. The affidavit filed by Shri Pande on reproduction would read as :

- “ 1. That the deponent is the respondent in the above noted case and as such I am is fully conversant with the facts deposed to as below –*
- 2. That the deponent has been directed by the order of this Court dated 01.10.2015 to appear on 13.10.2015.*
- 3. That the deponent has carefully read the order dated 01.10.2015 and after having read it, the deponent realized that it was a mistake on the part of the deponent to directly address the letter dated 17.09.2015 to the Hon'ble the Chief Justice. The deponent unconditionally tenders apology at the first instance for having committed this mistake.*
- 4. That during 'Samvidhan Katha' meetings, especially in rural areas, the revelation of people's ignorance about the Constitution of India emotionally impelled the deponent to request for help from the Constitutional authorities in this big task of making people of India aware of the Constitution as the deponent felt himself very-very small against the gigantic task. The deponent humbly also felt that when people will be aware about the Constitution, they will respect more the ideals and institutions of the Constitution, including Hon'ble Courts, as enshrined in the fundamental duties.*
- 5. That the deponent sent the same letter to many others including the President of India, Prime Minister of India,*

Vice President of India and Governors and the Chief Ministers of various States.

6. That the deponent most respectfully submits that he did not realize when the letter was sent to the Hon'ble Chief Justices also, besides other authorities that the text, tenure and tone o the letter was such that it was not appropriate for being sent to the Hon'ble Chief Justice and the judiciary.

7. That the fact that the deponent sent the letter to other authorities also is being stated not as a defence but only as a statement of fact that the deponent sent the letter to other authorities. But the deponent does realize that there cannot be slightest justification for sending it to the Hon'ble Chief Justice or judicial authorities merely because it was sent to the other authorities also.

8. That as fas as Serva Seva Trust is concerned, the deponent most respectfully submits that it has very pious motive, it has got registered u/s 12AA of Income Tax Act on 26.5.2015 and recognized under Section 80G of the Income Tax Act on 9.7.2015 only. Afterwards it has got donation approximately Rs. 77,000/- only. The main works of the trust in these months have been tree plantations, organizing health camps in rural areas and schools, efforts for deepening our river beds, scholarship to poor child and making people aware of Indian Constitution. There is nothing to veil by the Trust.

9. That the deponent has great respect for the Hon'ble Court and its Hon'ble Judges, as also of their majesty and magnanimity. With all the humility at his command, the deponent states that he has no design, whatsoever, to achieve any oblique motive. The deponent most respectfully submits that this Court may be pleased to consider this aspect of the matter.

10. That the deponent most respectfully submits that he intended and requested to provide judicial leadership, only in context of directing appropriate authorities to make people aware of our Indian Constitution.

11. That the deponent most respectfully submits that he has been an Indian Revenue Service officer for about 36 years in various capacities and at various places in India and retired as Principal Chief Commissioner of Income Tax on 30.11.2014. During the entire service the deponent has been law abiding, obeying the orders of Hon'ble Courts and had full faith in the judicial system and Hon'ble Judges.

12. That the deponent most respectfully reiterates that it was mistake on the part of the deponent to send the letter to Hon'ble Chief Justice of the High Court, but there was no malicious intention behind it and the deponent humbly requests that the correspondent may be treated as bonafide mistake.

13. That the humble deponent reiterates that he has great respect, regard and faith in the judicial system and the institution of judiciary as a whole including the Hon'ble Judges. However, for this inadvertent act of the

deponent, of sending letter to Hon'ble Chief Justice, the deponent tenders his unqualified and unconditional apologies."

We are satisfied with the explanation given by Shri Girish Narain Pande and thus accept his unconditional apology. We also direct, in terms of the statement given by Shri Girish Narain Pande in Court that the letter in question addressed to Constitutional Functionaries of the judiciary would be withdrawn, to do the needful within one week. Consequently, the Registrar General of this Court is directed to return the postal order of Rs. 10/- placed on the file of this Court to Shri Girish Narain Pande today itself to be used by the Trust in question.

This writ petition, thus, stands disposed of.

JUDGE

CHIEF JUSTICE

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