

PETITIONER:
AJAI KUMAR GOEL

Vs.

RESPONDENT:
ANIL KUMAR SHARMA

DATE OF JUDGMENT 19/01/1994

BENCH:
REDDY, K. JAYACHANDRA (J)
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REDDY, K. JAYACHANDRA (J)
RAY, G.N. (J)

CITATION:
1994 SCC Supl. (2) 523

ACT:

HEADNOTE:

JUDGMENT:
ORDER

The appellants M/s A.K. Goel and another are connected with a well-known Hindi Magazine 'Sarita' in the capacity as a reporter and publisher. The contempt proceedings were initiated on the ground that an article published in the said magazine in respect of the functioning of the administration of subordinate judiciary in U.P. However, during the said proceedings the appellants tendered an unconditional apology and the same was accepted by the High Court. However, the grievance is that the High Court has made certain observations which, if taken seriously, no newspaper will be in a position hereafter even to make fair criticism regarding the functioning of the administration of subordinate judiciary. We have carefully perused the relevant portion of the High Court judgment in this context. The High Court, as a matter of fact, observed that "after reading the article we are of the considered view that while writing the article in an attempt to improve the conditions of the litigants as well as the judicial officers Ajai Kumar Goel lost sight of the article creating an adverse impression". The High Court, however, having made such an observation accepted the unconditional apology. We do not think that the observations made by the High Court in any manner prevent the media from writing any article making fair criticism without undermining the integrity and dignity of the judiciary and which are not detrimental to the cause of judiciary as a whole. With the observations made above, the appeal is disposed of.

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