

PETITIONER:

I. MANILAL SINGH ALIAS M.MANIHAR SINGH

Vs.

RESPONDENT:

UNION OF INDIA

DATE OF JUDGMENT 23/03/1993

BENCH:

VENKATACHALLIAH, M.N.(CJ)

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VENKATACHALLIAH, M.N.(CJ)

YOGESHWAR DAYAL (J)

VERMA, JAGDISH SARAN (J)

REDDY, K. JAYACHANDRA (J)

AGRAWAL, S.C. (J)

CITATION:

1994 SCC Supl. (1) 728 1993 SCALE (2)456

ACT:

HEADNOTE:

JUDGMENT:

ORDER

1.We have heard Shri K.K. Venugopal, learned senior counsel, for Dr H. Borobabu Singh, in support of the two applications that have been made. In view of the peremptory terms of the earlier order dated February 5, 1993 requiring the Union Government to secure the presence of Dr Singh in Court today, we should not have permitted any interception of those steps. However, on the impassioned plea of Shri K.K. Venugopal, who sought an audience on these two applications, we have heard him at length. We have considered his submissions. Having regard to the qualified stand made manifest in the applications and affidavit, we do not think that we should interrupt the course of the execution of the earlier order. This we say with due respect to the high office, Dr Borobabu Singh otherwise holds as a Speaker of the Assembly. But, as has been made clear in the earlier orders, it is not in Dr Singh's capacity as Speaker of the House as such that Dr Singh is being proceeded against, but in a different capacity. It is unfortunate that Dr Singh has, by his own persistent stand of defiance of the jurisdiction and authority of this Court, brought this situation. This is, indeed, regrettable.

2.But this Court must maintain its dignity and authority. It is in this spirit that we direct the execution of the earlier order dated February 5, 1993 and the production of Dr Singh before this Court.

3.Now that Dr Borobabu Singh has, in his affidavit stated, that if we refuse his prayer for exemption, he is willing to appear before us, we appreciate the stand of Dr Singh and expect him to, be present in Court at 2.00 p.m.

4. Call at 2.00 p.m.

Court Masters

ORDER AT 2 P.m. ON MARCH 23, 1993

The contempt proceedings are dropped.

Court Masters

730

731

JUDIS