

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 210 OF 2013
(SPECIAL LEAVE PETITION (CIVIL) NO.4100 OF 2009)

ANUJA PRABHUDESSAI

APPELLANT

VERSUS

STATE OF GOA

RESPONDENT

WITH W.P.(C)NO.53 OF 2009

O R D E R

C.A. @ S.L.P. (C) No.4100 of 2009:

1. Leave granted.

2. This appeal by special leave is directed against the judgment and order passed by the High Court of Judicature of Bombay at Goa in Contempt Appeal No.1 of 2006, dated 24.08.2007. By the impugned judgment and order, the High Court has dismissed the appeal filed by the appellant and confirmed the order passed by the learned Single Judge of High Court in Criminal Writ Petition No. 1 of 2006, dated 17.07.2006, wherein certain observations were made while discharging the contempt notice issued to the appellant.

3. The appellant before us is the District and Sessions Judge, North Goa at Panaji-Goa. For certain acts and omissions said to have been committed by her, the learned Single Judge of the High Court had initiated proceedings for civil contempt by

issuing notice dated 15.06.2006. Vide order dated 17.07.2006, the learned Single Judge had discharged the contempt proceedings and directed the Registrar General of the High Court to initiate appropriate disciplinary proceedings against the appellant.

4. The aforesaid direction was issued after discharge of the contempt proceedings. The same was questioned by the appellant before the Division Bench of the High Court in Contempt Appeal No.1 of 2006. The Division Bench by impugned judgment and order concurred with the observations made by the learned Single Judge and further clarified that the said directions issued imply that the Registrar General of the High Court must seek appropriate directions from the competent authority in respect of any disciplinary proceedings required to be initiated against the appellant and that the order did not disclose any aspect regarding finality of disciplinary proceedings.

5. We have heard the learned counsel for the parties to the *lis* at length.

6. The observations so made by the Court in the course of its judgment and order, in our considered view would cast a shadow on the judicial career of the appellant, which, in our opinion, should not be jeopardized especially at this crucial juncture of her professional development as a judicial officer. The career of a bright judicial officer must not, therefore, be imperiled such that her further growth is stunted. Therefore, without going into the details and finer aspects of the case at hand, we

intend to set aside certain observations made by the High Court which would affect the career of the appellant.

7. Accordingly, we allow this appeal and set aside the impugned judgment and order in Contempt Appeal No. 1 of 2006 dated 24.08.2007 and the impugned judgment and order in Criminal Writ Petition No. 1 of 2006 dated 17.07.2006 and the communication of the Registrar General of the High Court dated 20.10.2008. We clarify that we have not disturbed the order passed by the High Court discharging the contempt proceedings initiated against the appellant

Ordered accordingly.

W.P.(C)No.53/2009:

In view of the foregoing order passed in the Civil Appeal@ Special Leave Petition (C) No. 4100 of 2009, this Writ Petition is also disposed of. We further direct that the remarks contained in the letter dated 20.10.2008 stands

deleted and the related Annual Confidential Reports be amended accordingly.

Ordered accordingly.

NEW DELHI;
JANUARY 09, 2013.

.....J.
(H.L. DATTU)

.....J.
(RANJAN GOGOI)



JUDGMENT