

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF DECEMBER, 2025

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

CRIMINAL CONTEMPT PETITION NO.8 OF 2019

BETWEEN:

HIGH COURT OF KARNATAKA
REPRESENTED BY THE REGISTRAR GENERAL
BENGALURU-560001

... COMPLAINANT

(BY SRI. THEJESH P., HCGP - (SUO MOTO))

AND:

SRI. K. DHANANJAY
S/O LATE K. KRISHNAPPA
AGED ABOUT 42 YEARS
INDIAN INSTITUTE OF ASTROPHYSICS
II BLOCK, KORAMANGALA
BENGALURU-560 034

...ACCUSED

(BY SRI. K. DHANANJAY, PARTY-IN-PERSON)

THIS CRL.CCC IS FILED U/S.15(1)(B) OF THE CONTEMPT OF COURTS ACT, 1971 R/W ARTICLE 215 OF THE CONSTITUTION OF INDIAN PRAYING THAT THIS HON'BLE COURT MAY BE PLEASED TO INITIATE (SUO-MOTU) CRIMINAL CONTEMPT OF COURT PROCEEDINGS AGAINST THE ACCUSED HEREIN SRI. K. DHANANJAY S/O LATE K. KRISHNAPPA, AGED ABOUT 42 YEARS, INDIAN INSTITUTE OF ASTROPHYSICS, II

BLOCK, KORAMANGALA, BENGALURU 560034, UNDER THE CONTEMPT OF COURTS ACT, 1971 AND TO PUNISH HIM IN ACCORDANCE WITH LAW.

THIS CRL.CCC HAVING BEEN HEARD AND RESERVED FOR JUDGMENT ON 27.10.2025 AND COMING ON FOR PRONOUNCEMENT OF JUDGMENT THIS DAY, **ANU SIVARAMAN J.**, PRONOUNCED THE FOLLOWING:

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

CAV JUDGMENT

(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)

A *suo motu* Criminal Contempt Case No. 8/2019 was initiated on the basis of the order of the Division Bench of this Court dated 21.03.2019 in W.P. No. 38412/2014, wherein the Court passed the following order:

*"BVNJ/HTNPJ:
21.03.2019*

Sri. L. Harish Kumar, learned Central Government of Standing Counsel has submitted his memo appearance on behalf of respondent No.3 today. The same is taken on record.

2. Heard learned senior counsel, Sri Ramdas for the petitioner/respondent No.1 who is appearing in-person and learned Central Government Standing Counsel, Sri L. Harish Kumar for respondent No.3.

3. Petitioner has filed an application i.e., I.A.2/2019 seeking initiation of suo moto action for criminal contempt against respondent No.1 under the provisions of the Contempt of Courts Act, 1971 (hereinafter referred to as "the Act" for the sake of brevity). According to petitioner, this writ petition has been filed seeking quashing of order dated 21.01.2014 passed by the Central Administrative Tribunal, Bangalore (hereinafter referred to as "the Tribunal" for the sake of brevity) in O.A.No.21/2011 and order dated 27.05.2014 passed in R.A.No.41/2014 by the Tribunal and to dismiss O.A.No.21/2011 filed by respondent No.1.

4. Pursuant to service of notice in this writ petition to respondents, respondent No.1 initially appeared through counsel and filed statement of objections on 31.07.2018. Respondent No.2 being the Governing Council of the petitioner institution has been transposed as petitioner No.2. Respondent No.3 is the Union of India.

5. Initially, the Union of India was represented by Smt. Kavitha.H.C. By order dated 17.07.2018 passed by a co-ordinate Bench of this Court, Registry was directed to delete the name of Smt.Kavitha.H.C. and to indicate the name of Sri. L. Harish Kumar, as Central Government Standing Counsel for respondent No.3.

6. According to the petitioner, on 2.3.2019 at about 11.30 a.m., respondent No.1 went to the office of the counsel for the petitioner so as to serve statement of objections said to be of Union of India. The junior counsel Smt. Radha Y., in the office of the counsel for the petitioner refused to accept the same as it was not being served by the counsel for Union of India and by respondent No.1, who is a private respondent and the original applicant before the Tribunal. Thereafter, counsel for the petitioner received the copy of the statement of objection said to have

been of Union of India by speed post on 04.03.2019. Suspecting foul play, the clerk of petitioner's counsel is said to have met Sri L. Harish Kumar at his office and found that he was not available and his clerk Sri Rajesh was available. Sri Rajesh informed that no statement of objections had been prepared on behalf of Union of India and that Sri L. Harish Kumar, Central Government Standing Counsel for Union of India was unwell and that independent action would be taken for withdrawing any application or affidavit said to have been filed on behalf of Union of India before the Court.

7. *Contending that respondent No.1 has prepared the statement of objections on behalf of Union of India and has attempted to serve the copy of the same on the counsel for the petitioner and thereafter has filed the same before this Court, learned senior counsel appearing for the petitioner submits that suo moto action of criminal contempt may be taken against respondent No.1 under the provisions of the Act. Our attention has been directed to Annexure - K appended to the application which is a copy of the statement of objection in the name of the Union of India. Affidavit verifying the said statement of objections is in the name of Sri L. Harish Kumar, Central Government Standing Counsel for respondent No.3/ Union of India. The same has also been notarized and the said statement of objections was filed before this Court on 28.2.2019. It is hence contended that respondent No.1 has fabricated statement of objections of respondent No.3/Union of India and has been guilty of criminal contempt of this Court and action may be initiated against respondent No.1.*

8. *In response to the submissions made on behalf of the senior counsel appearing for the petitioner, Sri L. Harish Kumar appearing for respondent No.3/Union of India submits that it is*

only today that he has filed his memo of appearance and earlier Smt. Kavita H.C. was appearing in the matter and after her term was completed, he was assigned this matter to represent Union of India. He submits that he has not filed any statement of objections on behalf of Union of India as only today he is filing his memo of appearance, he has also not received any instruction from Union of India to file any statement of objections. That the statement of objections sought to be served on petitioner's counsel and thereafter filed before this Court has not been prepared by him. It is also submitted that the affidavit verifying the statement of objections said to have been filed on behalf of Union of India is in his name who is stated to be the authorized representative representing the Secretary, Department of Science and Technology, Government of India. The said affidavit has been notarized by one Adarsh K.K., advocate-cum-Oath Commissioner, but the signatory has not been identified in person. He submitted that appropriate orders may be made on the said application.

9. *Respondent No.1 who is appearing in person admits the fact that the statement of objections on behalf of the Union of India was sought to be served on the petitioner's counsel by him and thereafter, it was filed before this Court. He submits that he only assisted the counsel for respondent No.3, Sri L. Harish Kumar in filing the statement of objections after serving a copy of the same on learned counsel for petitioner. He submits that the said statement of objections have been prepared by Sri L.Harish Kumar who sought his assistance in serving a copy of the same on petitioner's counsel and thereafter to file it in the registry of this Court. He submits that for having lent his assistance to learned counsel for Union of India, he cannot be penalized. He*

submits that the application filed by the petitioner may be dismissed.

10. The detailed narration of facts and contentions would not call for a reiteration except highlighting the fact that earlier Smt. Kavita H.C. was assigned this writ petition and she was engaged to appear for respondent No.3/Union of India. Even according to Sri L.Harish Kumar, learned counsel now appearing for Union of India, after the term of Smt. Kavita H.C. expired, he was requested to appear in the matter and since 17/07/2018 he was appearing in the matter. But, it is only today his memo of appearance has been taken on record. He submits that till date he has no instructions for filing any statement of objections on behalf of Union of India. He has categorically denied that statement of objections filed by Union of India has been prepared by him. He also submits that he has not signed the affidavit accompanying the statement of objections nor has the actual deponent i.e., respondent No.3 verified the statement of objections. He further submits that as to how, even in the absence of filing a memo of appearance and receiving instructions in the matter for filing the statement of objections, nobody could have filed statement of objections on behalf of Union of India. But respondent No.1 submits that he has assisted Sri L. Harish Kumar to file statement of objections on behalf of Union of India before this Court and in that regard, he had also sought to serve a copy of the same on learned counsel for the petitioner. The said facts are sought to be rebutted by Sri L. Harish Kumar, learned counsel for Union of India by his rejoinder by way of affidavit, which has been filed before this Court on the last date of hearing by stating that he has not received any instruction from Union of India to file any statement of objections and no representative of Union of India has ever visited his office to sign the statement of

objections and he, being an advocate for the last four years, he is well aware of the fact that an advocate cannot verify the affidavit appended to statement of objections and that he has not filed any affidavit verifying the statement of objections said to have been filed by Union of India.

11. We have perused the affidavit filed by Sri L.Harish Kumar, by way of a rejoinder and the same is placed on record.

12. In the circumstance, we clearly infer that the statement of objections on behalf of Union of India were sought to be filed by respondent No.1. In fact, he admits that he sought to serve a copy of the same on learned counsel for the petitioner and has filed the original before this Court after getting the same notarized. In the circumstances, we find this is a fit case where suo motu contempt action must be initiated as against respondent No.1 as we are of the prima facie opinion that the acts of respondent No.1 tends to interfere with the due course of judicial proceedings and in the matter and administration of justice in general.

11. In the circumstances, office is directed to take steps to initiate suo motu criminal contempt proceedings against respondent No.1 under Section 15 of the Act."

2. Pursuant to the said order *suo motu* contempt petition was filed by the Registrar General, High Court of Karnataka, Bengaluru, against the accused herein under Section 15(1)(b) of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India. The accused filed objections on 05.06.2020. The matter was heard at

length and by an Order dated 05.01.2023, the coordinate Bench of this Court considered the contentions advanced and decided that it is a fit case to frame charges. Thereafter, the matter was heard again on 12.01.2023 and 24.01.2023 and detailed orders have been minuted on those two days as well. Charges were framed and read over in Criminal Contempt of Court Case No.8/2019 against the accused on 24.01.2023 as under:-

"That you, the accused-Party-in-Person while yourself preparing the statement of objections on behalf of the Union of India, went to serve a copy of the same on the learned Standing Counsel for the petitioner in Writ Petition No.38412/2014 as if, the Central Government Standing Counsel, Sri L. Harish Kumar, has prepared the statement of objections and signed the affidavit accompanying the statement of objections. Thereafter, Sri L. Harish Kumar, learned Standing Counsel for Union of India appeared before the Court and submitted that he has neither received parawise remarks from the Central Government nor has filed any statement of objections or signed the affidavit accompanying the statement of objections as the actual deponent has verified the statement of objections. Thereby, you have virtually impersonated and forged the signatures of the

Central Government Standing Counsel in the statement of objections with affidavit.

This act of you tantamounts to interference of due course of judicial proceedings and administration of justice in general amounting to Criminal Contempt as contemplated under the provisions of Section 2(c) of the Contempt of Courts Act, 1971 read with Section 15(1)(b) of the said Act, punishable under the provisions of Section 12 of the said Act within the cognizance of this Court.

3. The statement of objections filed in this case as under:-

"7) I consulted High Court Free Legal Aid Services to obtain their opinion on all the 4 allegations above. They advised me that all 4 allegations, explicitly & implicitly pivoted on one root cause legal Question of Law and its answer implies and adjudicates present case is frivolous or not. Answer to this will prove why I am criminally prosecuted herewith & what is personal vested or biased interests of the Judges who passed 2 Orders:- ANNEX-A & Order Dt: 22-0-2019. Importantly, why Judges are becoming hand in glove to the criminal conspiracies of afore-stated Advocates to destroy law of the land & judiciary & public justice?

"WHETHER THE SIGNATURES ON THE ANNEX-B ARE THE IMPERSONATED FORGERY SIGNATURES MADE BY ME?

OR

WHETHER SIGNATURES ON ANNEX-B ARE THE LEGITIMATE SIGNATURES MADE BY MR. L.HARISH KUMAR HIMSELF ?"

8) Answer to above question of law reveals the veracity of the rest of all allegations. That is to conceal one false allegation (forgery), a series of false allegations are made by Mr.L.Harish Kumar. I, herewith lawfully, demonstrate, justify & prove the fact:- the signatures on ANNEX-B is legitimate signatures of Mr. L.Harish Kumar only, but, NOT forgery signatures. He is not a LUNATIC or PERSON OF UNSOUND MIND or ILLITERATE or LAYMAN but, he is well qualified, learned and a responsible Govt. Panel Counsel, who prepared ANNEX-B and signed. To conceal this fact, he made series of afterthought allegations on me as per the instructions of M/s.Sundaraswamy & Ramadas Advocates.

9) As per law, I shall be prosecuted to present case, **if and only if**, the confirmatory /substantive/incriminatory evidences substantiates and - proves all allegations {listed in Para (4) above} beyond any reasonable doubt. **BURDEN OF PROOF** for **FORGERY** allegation lies on Mr. L.Harish Kumar, but, **NOT ON ME**. Without any proof or without any investigation, under which provision of law, Judges have rights

to prosecute me? As per my Constitutional right on principles of natural justice, I have fundamental right for, Investigation Authority (Police Officer) to probe & ascertain a Report /Certificate from Govt. Forensic Lab's Experts on handwriting & signature to unearth the fact whether the signatures on ANNEX-B is forgery one or not? If, I am found guilty, then, only, I shall be prosecuted. But, not otherwise. Through my objections, I tearfully and solemnly pleaded this Court to refer the subject matter to a jurisdictional Magistrate Court for fair, proper & impartial investigation for unearthing the fact, whether allegations in the affidavit-is false (malafide) or true (bonafide). At the same time, simultaneous hearing & decision of oldest case W.P. No.38412/2014 be made to cease all the criminal conspiracies once and for all. But, the Judges, deliberately (to guillotine lower Court Decree) yielded to false affidavits for DICTATORIALLY passing order (ANNEX-A) to destroy any constitutionally guaranteed fundamental rights on the principles of natural justice & law & public justice and public interest. Thus, this Order was blind folded to favour M/s.Sundaraswamy & Ramadas Advocates to abet & co-operate to their high degree criminal conspiracies to become hand in glove to tarnish public justice system. The allegation of forgery, etc. are absolutely not the subject matter of contempt, but, the subject matter of a criminal court. If, the Judges had acted fairly and

impartially and as per law, then, they were duty-bound and obligated to refer the subject matter to a jurisdictional Magistrate Court. These advocates have not filed their affidavits by mistake, but, for the sake of fulfilling their vested grave and heinous criminal conspiracies of sending me to jail, for the sake of subjugating the merits of lower Court's Decree. CONSTITUTIONAL RIGHTS GIVEN TO ME IS NOT THE SUBJECT MATTER OF MERCY OF ANY COURT/JUDGE, BUT, IS GUARANTEED TO ME BY CONSTITUTION. I'm EMBARRASSED/ASHAMED to be a grandson of a FREEDOM FIGHTER. Because, my Grand Father fought for freedom hoping this country's Court orders should never be hand in glove to any criminal conspiracies by anyone and Court itself should never destroy law of the land, public justice, public interests & person's constitutionally guaranteed fundamental rights. But, since, I am already prosecuted and injuries are caused and very importantly my precious part of Govt. service and my entire family's livelihoods and lives are remorselessly and lawlessly destroyed by 2 Orders (dated 23-03-2019 & 22-10-2019) passed exclusively in W.P.No.3842/2014, I am entitled for all lawful compensations (pecuniary, legal, justice, etc.) for each of the caused damages. So, I claimed for my entitled reliefs.

Hon'ble Supreme Court, in Criminal Appeal No.1798/2009 in the case of "Kanwar Singh Saini V/s High Court Of Deihi", a reported Judgment, Dt: 23-09-2011, held the ruling as follows :-

"fundamental right is a basic human right, a "transcendental", inalienable, and 'primordial' right, should not be put in peril without following the procedure prescribed by law and In a casual and cavalier manner. Instant case is an example where all proceedings in the suit as well as under the Contempt of Courts Act, 1971, have been taken without adverting to the procedure known in law."

As per above Ruling, without adverting to the procedures prescribed (either substantive evidences based proof for allegation OR fair and proper investigation to verify the veracity of the allegation) the Judges have no rights to prosecute me for the present criminal contempt case. But, dictatorially prosecuted & injured me irreparably. I am helpless.

10) x x x x x

11) 1st allegation in Para (6.1) above, causes below doubts which are to be justified by substantive evidences by Mr.L.Harish Kumar : -

11.A) if, in case, ANNEX-B is filed at first instance. Later, Memo of Appearance is filed. Then, does it axiomatically imputes ANNEX-B is filed by me and not by Mr.L.Harish Kumar?

My defense and rebuttal to the above doubt is: -

11.1) Without proof for above doubt, Judges decided that I only filed ANNEX-B. So Order (ANNEX-A) was passed. Now, burden of proof lies on complainant (Registrar General) to

prove. If complainant does not prove it, then, I ought to file a perjury case and prosecute him for irreparably causing injuries to me. But, I am helpless due to System.

11.2) Now, I will prove, ANNEX-B is not filed by me. But, by Mr.L. Harish Kumar through his clerk, namely, Mr.Santhosh. Kindly, refer the accompanying I.A.No.1, 2 & 3/2023 for evidences and proofs.

*11.3) In plenty of cases, Govt. Pleaders/Panel counsels, do not file Memos of Appearances at first, but, they file their case documents (such as objections, IA, Affidavits, etc.,). Later they filed their memos of Appearances, but, still, Courts adjudicate such documents and passes judgments without questioning such a practice in any manner. But, private Advocates for private parties file Vakalath first and later file other case documents. This practice is clearly known to Judges. I produce a confirmatory/substantive/incriminatory Evidence, which is marked as **ANNEX-7** for justifying and proving Mr.L.Harish Kumar, in his case {W.P.No.11237/2013 (S-CAT) **ANNEX-7**} has - filed Affidavit first on 04-03-2013. Later, on 13-07-2013 he has filed his Memo of Appearance. In the present case also, he filed ANNEX-B first later, he filed his Memo of Appearance. In both the cases, Mr. L.Harish Kumar, came on: case record due to his predecessor got retired. Plenty of such evidences might be existing. It is not my duty to ascertain any evidence on this matter.*

But, I ascertained the evidence ANNEX-7 by coincidence: Hence, this allegation is absolute false and afterthought.

*11.4) In Para No.(3) of contempt petition, it is clearly admitted by the complainant, without filing Memo of Appearance, Mr.L.Harish Kumar name was listed (for R.No.3) in every cause-list on the basis of Order, Dt:17-07-2018. I herewith produce few cause-lists. (downloaded from High Court's web-site) and marked herewith as **ANNEX-8: Ex-57 to Ex-67**) to prove the fact that prior to the date of filing of ANNEX-B, Mr.L.Harish Kumar's name was cause-listed for R.No.3 and so he was present in the Court Hall for every Hearing date. He is neither stranger to W.P. No.11237/2013, nor his name was cause-listed by mistake. It is not my duty, but, the complainant's to issue show-cause notice to the concerned Officials of High Court, seeking their explanation on their misconduct as to why Mr.L.Harish Kumar's name was cause-listed in ANNEX-8, without his filing of Memo of Appearance. Also, it is not my duty but Mr.L.Harish Kumar's to complain to the concerned as to why his name was cause-listed without filing his Memo of Appearance. I am not concerned to any of these matters in any manner. But, still Order (ANNEX-A) was passed. What is personal interest of Judges?*

11.5) I filed RTI-Act-Application, Dt:27-03-2019 to SPIO, High Court, vide ANNEX-15 (Ex-73), seeking information:- "without filing of Memo

of Appearance. on what basis Mr.L.Harish Kumar's name was caused listed?". Kindly refer ANNEX-15 filed in IA No.3/2020. But, SPIO denied information, vide ANNEX-15 (Ex-74). Evidences filed by me in accompanying I.A.No.1, 2 & 3/2020 proves beyond reasonable doubt, ANNEX-B is filed by Mr.L.Harish Kumar only. But, not by me.

12) 2nd allegation in Para (6.2) above, causes below doubts which are to be justified by substantive evidences by Mr.L.Harish Kumar:-

12.A) if, in case, I prepared ANNEX-B and made forgery signatures on it. In such situation and circumstance, even if I am illiterate, I know it as crime. If, I had committed said crime, will I not attempt to conceal crime secretly? Do I have any moral or fortitude left in me to go to the office of M/s.Sundaraswamy & Ramadas Advocates to serve a copy of ANNEX-B? Will I not fear I will be caught, if I serve copy?

My defense and rebuttal to the above doubt is:-

12.1) I am a Professional Degree holder plus Group A Gazetted rank officer plus not a lunatic or mentally unsound; I know that preparing ANNEX-B for R.No.3, making forgery signatures for Mr.L.Harish Kumar is a punishable offences. Since, I did not commit any mistake also, so, I served copy to M/s.Sundaraswamy & Ramadas Advocates. And without any fear filed a Memo thereof with my handwriting. It is due to

falsehood and after thought Affidavit on me and Judge's extra-Ordinary bias, favouritism - and abetment- and. co-operation to Affidavit, in treason to their integrity to their posts, I am illegally prosecuted.

12.2) If, I had committed. any crime/mistake; then, do I have any moral or bravery to go to offices of M/s.Sundaraswamy & Ramadas Advocates and Assistant Solicitor General (Mr.Shashikantha) for the purpose of serving copies of ANNEX-B for my other pending case vide W.P. 26063/2018 (S-CAT) & W.P.No.51677-51680 (GM-482-Cr.Pc.)?

12.3) Refer accompanying I.A.No.1,2 & 3/2020 for evidences & proofs.

x x x x x"

4. We have heard Shri Thejesh P., HCGP appearing for the Complainant, learned AGA Shri Ravindranath appointed as *amicus curiae* in the matter and the accused/party-in-person- Shri Dhananjaya.

5. The Complainant submits the following documents to support his claims:

"(1) Order dated 21.03.2019 passed by the Hon'ble Court in W.P.No.38412/2014.

(2) Statement of Objections along with Affidavit dated 28.02.2019 filed by Sri L. Harish Kumar, Advocate

appearing for Respondent No.3, i.e., in W.P.No.38412/2014.

- (3) *Memo of Appearance filed in the Court on 21.03.2019 by Sri L. Harish Kumar, Advocate appearing for Respondent No.3 i.e., Union of India in W.P.No.38412/2014.*
- (4) *Rejoinder by way of Affidavit filed in the Court on 21.03.2019 by Sri L. Harish Kumar, Advocate appearing for Respondent No.3 (Union of India) in W.P.No.38412/2014.*
- (5) *Authorisation of the Registrar General, High Court of Karnataka adduced evidence and produced documents in support of the case.*
- (6) *Order dated 30.04.2019 passed by the Hon'ble Chief Justice on the administration note for initiating of Contempt proceedings against Sri K. Dhananjaya will be submitted at the time of evidence.*
- (7) *Petition in Crl.CCC.No.8/2019."*

6. In examination-in-chief Shri. M.S. Prakasha, Assistant Registrar of the High Court of Karnataka, CW-1 confirmed that Harish Kumar entered appearance only on 21.03.2019, making it impossible for him to have filed the objections dated 28.02.2019, which the registry never received with his signature. Further, Shri. Harish Kumar's

affidavit (Ex.C4/D24) rejects 28.02.2019 objections, stating he neither filed nor authorised them and that any document in his name before 21.03.2019 is not genuine.

7. The High Court recorded that Shri. Harish Kumar was suffering from brain tumour at the relevant time, therefore, he could not have filed or sworn any objections. CW-4, Advocate Y. Radha, testified that the accused personally attempted to serve her the objections on 02.03.2019 near Court Hall No.3, showing his direct involvement in circulating the falsified document.

8. The accused contends that the allegation of impersonation is false. He contends that Advocate L. Harish Kumar had been filing documents in W.P. No.38412/2014 for several years, for the Union of India and therefore his signatures appear in many different forms across many cases. To support this, he has produced a 90-page compilation of Shri. Harish Kumar's vakalatnamas, memos of appearance, affidavits, and objections (Ex.D31), asserting that these demonstrate natural variations in Shri. Harish Kumar's signature. He

also produces multiple cause lists from January to February 2019 (Ex.D7–D10), claiming these show Shri. Harish Kumar's active practice and that his name was consistently listed before the Court, implying that he was appearing in the case and could have prepared the statement of objections.

9. He further produces several certified copies of orders, affidavits, IA applications, and rebuttals (Ex.D11–D30), arguing that filings continued normally during this period and that there was no procedural irregularity that points to impersonation. The accused also relies on RTI replies (Ex.D12–D15) to suggest that there was confusion or inconsistency in court records, which may have led to the wrongful initiation of contempt. He insists that he only assisted Shri. Harish Kumar in serving copies and serving the objections and states that he has been wrongly accused due to misunderstandings in the Registry. Throughout he maintains that he never forged the signature of Shri. Harish Kumar, that the filings in question were genuine, and that the contempt

proceedings arise from clerical errors and misidentification by the witnesses who admittedly did not know Shri. Harish Kumar personally.

10. It is pertinent to note that the accused consistently maintained that he only assisted Shri Harish Kumar in filing the statement of objections. However, in the screenshots of text messages between the Counsel and the accused, submitted by the accused in Ex-62 to Ex-71, there is no acknowledgement of the filing by the Counsel. The Counsel rendered no response to the messages relating to any filing, therefore there is no evidence to substantiate the accused's claim that he was merely assisting the counsel in filing the documents.

11. We notice that the accused appearing in person has not denied that he has filed the statement of objections in W.P. 3814/2014 before this Court. His specific contention is that the learned Central Government Counsel, Shri. L. Harish Kumar, prepared the statement of objections and signed it and he only assisted the counsel by filing it. This contention cannot be accepted under any

circumstance, since Shri L. Harish Kumar learned standing counsel entered appearance in writ petition only on 31.03.2019. It is clear that a Counsel who has been allotted the file and entered appearance cannot prepare statement of objections or sign the same or have it filed on any earlier date. Shri L. Harish Kumar, learned CGC having passed away, the best evidence is not available. However, from the evidence on record, it is clear that the said counsel had clearly denied having prepared the statement of objections or having signed the same. Though the accused has placed voluminous records in evidence, he has not succeeded in placing anything on record to show that the statement of objections had been prepared by Shri. L. Harish Kumar or that he had been entrusted to file the same.

12. It is noted that Shri. Harish Kumar's position in his affidavit dated 31.03.2019 marked as Exhibit C4/D24, filed after he formally entered appearance on 21.03.2019, he categorically disowns the objections dated 28.02.2019 and states he neither prepared nor filed the objections. He

also clearly states that he had not authorized the accused to serve copies or file the objections. His affidavit is fully corroborated by CW-5, Advocate A. Rajesh, who personally knew Shri Harish Kumar and testified that Shri Harish Kumar told him that "one Dhananjay" had impersonated him. CW-5 also identified the accused in Court.

13. Shri. Adarsha K.K., the then Oath Commissioner- CW-3 has clearly testified that the signature in the oath register does not match Shri Harish Kumar's genuine signature. Advocate Smt. Y. Radha, CW-4's evidence is that the accused himself served the objections. Therefore, from the evidence on record, it is clear that the accused had attempted to serve the objections on CW.4. It is not disputed that the accused had filed the objections before this Court. It is clear from the evidence on record that it was not L. Harish Kumar who had prepared the objections or signed the same or even got the affidavit notarised before filing the objections on 28.02.2019.

14. Having considered the evidence on record, we are of the opinion that the charge that the accused himself had forged the signature of L Harish Kumar and filed the objection before the Court stands proved. The said conduct of the accused clearly amounts to an interference with the process of the Court and answers the definition of Criminal Contempt. Therefore, we hold him guilty of Contempt of Court.

15. Having regard to the aforesaid facts and circumstances, we hold that the charges against the accused/contemnor is proved. Therefore, we convict the accused/contemnor for Criminal Contempt of Court punishable under Section 12(1) of the Contempt of Courts Act, 1971.

16. We have heard the accused on sentence. We find that the accused has not expressed any regret and continues his adamant stand. No mitigating factors have also been pleaded.

17. We also heard the learned State Public Prosecutor and the complainant, who submit that in the facts and circumstances of the case, maximum punishment is liable to be imposed.

18. Having considered the contentions advanced and the gravity of the contempt and the conduct of the accused as well as his age, we sentence the accused/contemnor to simple imprisonment for a period of four months with a fine of Rs.2,000/- (Rupees Two Thousand Only).

The accused/contemnor shall be taken to custody forthwith, to serve the sentence.

Registrar (Judicial) shall issue conviction warrant against the accused as per Rule 16 of the High Court of Karnataka (Contempt of Court Proceedings) Rules, 1981.

Registry shall furnish a free copy of this order to the accused/contemnor, immediately.

Pending interlocutory applications shall stand disposed of.

**Sd/-
(ANU SIVARAMAN)
JUDGE**

**Sd/-
(VIJAYKUMAR A. PATIL)
JUDGE**

cp*