

**IN THE COURT OF HON'BLE DISTRICT AND SESSIONS JUDGE,  
JALGAON AT JALGAON**

Cri. Misc. Appl. NO. /2013

**Jalgaon District Lawyers Foundation**

A.K.A. JDLF जळगाव जिल्हा वकील प्रतिष्ठान

an N.G.O. registered under the provisions of

The Bombay Public trusts Act, 1950 And

**- Applicant**

The Societies Registration Act 1860.

Reg. Office- 258, Baliram Peth,

In front of B.J.P. Office, JALGAON 425001

Through its Secretary, Adv. Shobhana S. Mule

**Vs.**

**Bharkumar Bhavanishankar Raut**

Age- 60 years, Occu.- Member of Parliament

R/o. 2101, Matoshree pearl,

**- Respondent**

S. Keer Marg, MAHIM,

Mumbai 400016 Fax- 022 22731175

E-mail= bk.raut@sansad.nic.in

**Application u/s 15 (2) of The Contempt of Courts Act, 1971**

The applicant above named most respectfully submits as under:

1. That the applicant is an N.G.O. registered under the provisions of The Bombay Public trusts Act, 1950 and The Societies Registration Act 1860. Its registration number is Mah/12108/Jalgaon Dt. 07/05/20110, having its registered office at 258, Baliram Peth,

Jalgaon. Adv. Shobhana S. Mule is its secretary and the authority to file present application is conferred upon her vide resolution passed in the meeting held on 13/07/2013.

2. The respondent is leader of a Shiv Sena and is a Member of Parliament (Rajyasabha) and enjoying the status of representative peoples.
3. That on 11/07/2013 one Marathi News Channel i.e. ZEE 24 TAAS aired a program titled as "ROKH THOK" in which the above mentioned respondent took part. The was discussing the aspects of the judgment passed on 10/07/2013 by the Hon'ble Supreme Court of India in respect of the sub section 4 of section 8 of The Representation of The People Act, 1951. The program is telecasted on 11/07/2013 at between 09 P.M. to 10 P.M and is seen by Adv. Shobhana Mule at her home situated at Ganpati nagar Jalgaon which is within the territorial jurisdiction of the Hon'ble Court.
4. That the video of this particular program is available on internet on Youtube at <http://www.youtube.com/watch?v=p17wKPz0Ovc> which is a official video channel of ZEE 24 TAAS. The 7<sup>th</sup> part of the Video clip is downloaded on computer in .flv format and is also converted in .mp4 format for smooth running on any video-player.
5. That the respondent, in this program, have deliberately passed some derogatory statement against the subordinate judiciary in the country.
6. That the objectionable statement is included in the 7<sup>th</sup> part of the Video clip at 02:04 minutes in which the respondent made this statement in Marathi language "आपल्याकडे सत्र न्यायालयं काय पध्तीनं चालतात हे विश्वंभर चौधरी आपल्यालाही माहित असेल, सर्वानाच, सरोदेनाही माहित असेल. गायकवाडांनाही माहित असेल आणि आपल्यालाही माहीती आहे." (we all know that how subordinate judiciary works!) The language and the tone used by the respondents were certainly tending to lower the judiciary and thereby he caused damages to the image of

subordinate judiciary as the program is seen by the citizens all over the state.

7. That a person who is a member of a constitutional body is neither expected to pass such derogatory statement against judiciary in our country nor can take any benefit of freedom of speech. Therefore, this matter is required to be referred to The Hon'ble High Court for taking cognizance under section 15 (2) of The Contempt of Courts Act, 1971

It is, Therefore, most respectfully prayed that **a reference under section 15 (2) of The Contempt of Courts Act, 1971, against the respondent for committing criminal contempt of subordinate judiciary, may kindly be made tom The Hon'ble High Court as early as possible.**

And for this act of kindness and justice the applicant, as duty bound, shall ever pray.

Place- JALGAON

Date- 15/07/2013

Applicant

(For J.D.L.F., Secretary, **Adv. Shobhana S. Mule**)

Adv. For Applicant

**(Jainodin I. Shaikh, Jalgaon)**