

Item No.02,
AJ, Ct. No. 07
16.07.2021

C.O. 891 of 2021

(Via Video Conference)

Sri Jadav Saredar @ Jadab Sardar & Ors.

-Vs-

Sri Basudeb Tarafder & Ors.

Mr. Sounak Bhattacharya,

Mr. Sounak Mandal.

... For the petitioners.

Mr. Ramdulal Manan,

Mr. Sabyasachi Mondal,

Mr. Sayan Mukherjee.

.....For the opposite parties.

During functioning of Court, connectivity issues and electronic interference in the audio and visual systems, have become a daily feature of this Court. Despite the tall talks about achievements of virtual hearing facilities and restricting hearing of litigations entirely to virtual hearings, it is unfortunate that this Court is unable to provide the minimum virtual services and connectivity in order to ensure that justice is rendered appropriately. I personally feel guilty, as a part of this Court, since disruption and interference in functioning of Courts, in whatever form, might amount to criminal contempt. I am a party to such act as a part of the showcase of Judges who are adorning this Court, including the Chief Justice.

I have called the Central Project Coordinator repeatedly pointing out the said issue and even called for a show-cause in connection with a different

matter on the issue, but no such cause has yet been shown. The Central Project Coordinator is directed to show cause in writing as to why proceedings should not be drawn up against the High Court Administration, including the Registrar General and the Central Project Coordinator, in particular, for criminal contempt of Court due to continuous interference in virtual hearings in court in each and every matter. The reply to the show-cause shall be filed by 3 P.M today.

It may be recorded here that this has become a regular feature and I feel ashamed that our esteemed Chartered High Court, which has an illustrious history, is being relegated to such insignificance that we cannot render justice to the litigants at large due to mere connectivity issues.

Fie on the system which cannot deliver justice to its citizens. Hence, this Court is unable to sit any longer till the connectivity issues are resolved entirely. Sitting in Court and playing dumb charades during virtual hearings with the advocates, due to major disruptions in virtual services, has become a joke by now and does not tantamount to adjudication of matters but is a mere circus on show before the public.

I categorically refuse to be a part of such circus because I have taken oath to deliver justice to the litigants, who are outside the Court rooms and

beyond the reaches of the air-conditioned rooms accommodating the Judges and toiling in the sun and the dust outside. Hence, the Central Project Coordinator shall ensure that a show-cause in writing is filed by 3 P.M. today and sent to my chamber elaborating the issues disrupting the connectivity in Court. Till such time that the issues are resolved in full, I shall not sit in Court to conduct an empty stage show.

Let a copy of this order be communicated to the Hon'ble the Chief Justice (Acting), through His Lordship's Secretary as well as the Registrar General of this Court during the course of the day.

I stop short of issuing a Rule of Contempt to give a last chance to the High Court Administration to rectify the faults in connectivity, so that proper justice can be rendered to the litigants at large, particularly when we are restricting learned advocates and the litigants to appear in Court in person and confining hearing merely to the virtual mode.

This matter shall next be enlisted tomorrow fairly at the top of the list for passing further orders.

In any event, neither the advocates for the parties nor I can communicate with each other without massive disruption in connectivity services every minute.

The concerned parties in charge of the virtual connectivity services of this court shall act on the basis of the communication of this order by the Central Project Coordinator and/or the website copy of this order, which shall be communicated by the Central Project Coordinator immediately.

Since the parties could not be heard due to no fault of their own, the interim order granted earlier is extended till July 31, 2021 or until further order, whichever is earlier.

(Sabyasachi Bhattacharyya, J.)