The Supreme Court on Thursday instructed Advocate Mehmood Pracha to consider filing an unconditional apology with regard to the plea filed by him against the Central Administrative Tribunal order, which held him for contempt of court.

The bench of Justices K. M. Joseph and S. Ravindra Bhat asked Pracha, “You don’t have the previous history, file a written unconditional apology before the Tribunal, we will consider setting aside the order, whatever has happened has happened, we all commit mistakes.”

To this, Advocate Pracha replied, “I cannot bring myself to agree to, apologise or regret something which I have not done. It was actually me, who was at the receiving end.”

“I cannot bring myself to agree to something or apologise for something or regret something which I have not done. It was actually me who was at the receiving end.”

Justice Joseph said,”We are only trying to tell you that this way of approaching it will sub-serve your interests, as also the interest of justice, maintaining the dignity of the Tribunal… You think about it. Don’t throw it out without contemplation.”

Pracha replied, “Certain things were being said by the Chairman qua this Court as well as the High Court of Uttarakhand and other High Courts also… The only thing I said was that if your Lordships have to observe these things, kindly observe them in chambers.”

Justice Joseph admonished Parcha, saying, “If such things were being said, you could have brought it separately to the notice of the Court. Two wrongs do not make a right. You are justifying something which you’ve done by saying that something which was wrongly done, therefore, you have been provoked to do this, which, in its own right, is wrong.”

Pracha said, “Could your lordships consider staying the impugned order?”

To this, Justice Joseph said, “Not at this stage. We will hear you and then we will take a call.”

Thereafter, the Bench directed the matter to be listed after a month.

The incident relates to a case fought by Pracha for Indian Forest Officer Sanjiv Kumar Chaturvedi in the CAT. The principal CAT bench had taken suo motu cognisance, where Chaturvedi, who was on deputation to AIIMS, Delhi, had filed different applications with regards to recording of his Annual Confidential Reports (ACR). Citing instances of unruly and contemptuous behavior on the Advocate’s part, the Tribunal had held him guilty of contempt of court under Section 14 of the Contempt of Courts Act, 1971.

'The case was listed on 10.02.2020 and the respondent pleaded not guilty,' the statement said.

The respondent stated that the arguments were only on the basis of the record and that he did not state anything which amounts to contempt of court and added that a contempt case was filed against the chairman before the Uttarakhand high court for the observations about the Judgement of Uttarakhand High Court, it said.

He has also referred to the SLP pending before the Supreme Court against the said contempt case, the statement said.

Even where the parties are a bit emotional, the counsels are expected to discourage them and plead before the court or tribunal that much, which is relevant, it said.

'It is rather unfortunate to note that the attack by the respondent herein was more severe and aggressive, than that of his client,' the statement said.

The matter reached its pinnacle when he said in the open court that the proceedings be heard in the chamber because he has to say something about the chairman, it said.