

INDIA / JUDGMENT

MADHU LIMAYE AND ANR. versus VED MURTI & ORS.

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MAOHU LIMA YE AND ANR. v. VED MURTI & ORS. September 10, 1970

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[M. HIDAYATULLAH, C.J.,

J. M. SHELAT, G. K. MITTER, C. A. VAIDIALINGAM, A.

V. BHARGAVA,

N. RAY AND

I. D. DuA, JJ.]

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E

G

Supreme Court-Language of court is Eng/lsh-I'ntervener seeking permission to argue in Hindi-
Such permis~ion, could not be exterttkd when counsel on both sides and several members of
Bench could not follow argumelt/s in Hindi-Alternatives .mggested by court not accepted by
intervener-Intervention must be cancelled,

R was allowed to intervene in a petition 'for a writ of liabeas corpu.< under Art. 32 of the
Constitution. He was a\lowed, at his request, to address the court in Hindi but. counsel on both
sides as well aa several members of the Bench were unable to follow his argument. He was asked
by the court to address the court in English, or to allow his counsel to present his case, or to give
written arguments in English. He refused to accept any of these suggestions.

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HELD · In the circumstances it was futile to allow the intervener to continue his arguments in Hindi. The language of the court being English and the intervener not being agreeable to any of the suggestions made to intervention. him, the "only alternative for the court was to cancel his

ORIGINAL JURISDICTION : Writ Petition No. 307 of 1970. Petition under Art. 32 of the Constitution of India for a writ

in the nature of habeas corpus.

Petitioner No. 1 appeared in person. K. Rajendra Chaudhuri and Pratap Singh, for petitioner No. 2. C. D. Daphtary, L. M. Singhvi and O. P. Rana, for the respon-

dents.

Niren De, /fttorney-General, R. H. Dhebar, H. R. Khanna, S. P. Nayar and R. N. Sachthey, for Attorney-General and Union of India.

S. C. Agarwal, D. P. Singh and Raj Narain (in person), for

the intervener.

ORDER

Mr. Raj Narain yesterday insisted on arguing in Hindi. He was heard for sometime with a view to see whether we could follow him, simply because this is a habeas petition involving the liberty of the citizen. Because of the importance of the case we heard him for sometime, but the Attorney-General, Mr. Daphtary who is opposing him and some of the members of the Bench could not understand the arguments made in Hindi yesterday. circumstances, it is futile to permit Mr. Raj Narain to continue his

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[1971 J 2 s.c.R.]

arguments in Hindi. He has a counsel Mr. D. P. Singh already in attendance and helping him. We suggested the following three alternatives,

- (a) that he may argue in English; or
- (b) he may allow his counsel to present his case; or
- (c) he may give his written arguments in English. The language of this Court is English (see Art. 348 of the Constitution). If Mr. Raj Narain is not agreeable to these suggestions, and we understand, he is not, the only alternative for us is to cancel his intervention. We order accordingly. G.C.

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