



WONDERLAND OF LAW AND JUSTICE (1996). By Pawan Chaudhary 'Manmauji'. Vidhi Sewa, New Delhi. Pp. IX + 258. Price Rs. 300.

PAWAN CHAUDHARY 'Manmauji' is a well-known writer of law. His writings include both satirical and serious. All his writings reflect his concern for the administration of law and justice. The book<sup>1</sup> under review is a collection of his articles primarily written and published during 1990-92 in the *Hindustan Times*, *Evening News*.<sup>2</sup> The theme of the book is law and justice. The book consists of four parts. Each part consists of small articles numbering 70. Chapter 1 refers to the recommendations of the Law Commission of India suggesting appointment of the High Court and the Supreme Court Judges through a national judicial commission and its opposition by the All India Chief Justices' Conference. In this chapter an incidence of attempted self-immolation by a research scholar has also been included. This inclusion does not seem relevant with the subject of the chapter.

Chapter 2 depicts the oath taking aura of Chief Justice of Delhi and Himachal Pradesh High Court Justice G.K. Mittal and Justice Leila Seth respectively. A mention of Justice Veeraswami's, CJ of Madras High Court, petition in the Supreme Court also finds place in the Chapter. In this case, the Supreme Court has ruled that the justices of the higher judiciary are subject to the provisions of the Prevention of Corruption Act. Winning of nations citizens' award by a special secretary in the Ministry of Law and Justice for his contribution in the field of 'Jurisprudence' surprises the author.<sup>3</sup>

Chapter 3 mentions the withdrawal of certain remarks by Justice Y.V. Chandrachud made in the *habeas corpus* case<sup>4</sup>, by former CJI E.S. Venkataramiah made against Mr. N.N. Goswami, judge, Delhi High Court and Justice Rangnath Mishra, CJI made in an address to the conference of Brahm Kumaris. Inability shown by the apex court to initiate contempt proceedings against Mr. Justice V. Ramaswami forms part of Chapter 4. The doubt raised by the author<sup>5</sup> about hearing any contempt petition against any counsel has been answered by the Supreme Court in *Vinay Chandra Mishra's* case<sup>6</sup>. Chapter 5 of the book is a brief

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1. Pawan Chaudhary, *Wonderland of Law and Justice* (1996).

2. *Id.* at VII.

3. *Id.* at 6.

4. *A.D.M. Jabalpur v. Shiv Kant Shukla*, AIR 1976 SC 1207.

5. *Supra* note 1 at 11.

6. *In re Vinay Chandra Mishra* (1995) 2 SCC 584.



biography of late Mr. Justice J.C. Shah, former Chief Justice of India. The author has succinctly narrated the qualities of the great judge. In chapter 6, the author has dealt with the in camera and confidential conference of the Chief Justices of India. *Chandra Prakash Jain's case*<sup>7</sup> forms the subject matter of Chapter 7. The author has also referred to *Suman Rani's*<sup>8</sup> case, which led to the review petition<sup>9</sup> under Article 137 of the Constitution. Counsel to some leading Judges to refrain from using strong and carping language forms chapter 8 and chapter 9 discusses the resignations given by some justices of Bombay (Mumbai) High Court on the alleged charges of misconduct and corruption. Chaudhary has rightly raised the question of atonement by mere resignation by the Judges! Chapter 10 narrates the governmental practice of changing the panel of government lawyers with every change of Government. It also includes an incident with the author in which one presiding officer of a district court in Haryana had shown discourtesy.

Conviction of the rapists of children by the additional district judge, Delhi and appointment of Chief Justice of India forms chapters 11 and 12 respectively. 'Manmauji' feels that in the appointment of the CJI, besides merit and seniority, elements of utility and usefulness should also be taken into account.<sup>10</sup> A writ petition filed by the author seeking directions to the concerned authorities for appointing advocates as high court judges and 'a lament on our values' forms chapters 13 and 14 respectively. The author has pointed out the swearing-in ceremony of five union ministers who were disqualified by the Speaker.<sup>11</sup> Throwing of *chappal* by an accused at the presiding officer and directions by the high court to the subordinate judicial officers regarding talks, etc. in electronic media are narrated in chapter 15. Chapter 16 deals with the quashing of warrant of appointment of Mr. K.N. Srivastava as judge of the Guahati High Court. Code of conduct for the justices of the higher courts, appointment of new CJI and observance of *Hindi Divas* by the Ministry of Law forms the materials of chapters 17, 18 and 19.

Part II of the book consists of chapters 20-35. Art of advocacy is a satire<sup>12</sup>. A scene of Delhi Bar Association election has been discussed in chapter 21. The author is not satisfied with the spirit of these elections. Although the number of lawyers in Parliament has dwindled since the first *Lok Sabha*, the author finds no solace even if more lawyers become

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7. AIR 1990 SC 658.

8. *Prem Chand v. State of Haryana*, AIR 1989 SC 937.

9. *State of Haryana v. Prem Chand*, AIR 1990 SC 538. For criticism see, K.C. Joshi, "Judicial Process", 34 *JILI* 85-87 (1992); B. Sivaramayya, XXVI *ASIL* 115 (1990).

10. *Supra* note 1 at 38.

11. *Id.* at 47.

12. *Id.* chapter 20.



members of Parliament. He rightly feels that there is no serious concern to reform the judicial system. Strike has of late become an acceptable weapon with all sections of the society. Delhi Bars both of the district courts and the high court have frequently resorted to this weapon.<sup>13</sup> Chaudhary also points out that the Bar Association of India has not come up to the expectations.<sup>14</sup> Elections of Bar have found sufficient attention of the author.<sup>15</sup>

Part III of the book generally deals with such issues as the form of addressing the judges of the higher judiciary, supercession in subordinate judiciary, robes of presiding officers of lower courts and mounting arrears of pending cases in the courts. Author's concern for fair play has tempted him to discuss arbitrariness in the M.Phil. admissions in Mathematics department of Delhi University and rationale of Law entrance test. Chapter 52 raises an important issue of contempt of court in which even truth is no defence. Chaudhary wonders as to why this issue has not been raised through PIL.

Part IV consists of chapters 55-71 and is titled as 'miscellaneous'. This part includes topics such as relevance of black coat of lawyers and judges, apathy of government towards law and justice, tenure guarantee of judges of higher judiciary and its rationale and absence of judicial reforms in election manifestos of political parties. The story of Harbans Singh and Surjit Singh reveals the technicality of law.<sup>16</sup> Can there be severance of blood relationship, e.g. father and son, has been included in chapter 63. Alternative dispute resolution method as a substitute to litigation forms the contents of chapter 70. T.V. Adaptation of author's novel *Mr. Insaaf* and opinions of some important persons have been included in chapters 69 and 71 respectively.

The entire material makes an interesting reading of the prevailing condition of law and justice. The author has discussed the intricate issues in simple language. The book would have been more coherent had the author been able to put common topics at one place. For example appointment of judges has been discussed in chapters 1, 12, 14, 16, 18, 19, 45, 49, 53 and 59, Chief Justices' conference finds place in chapters 6, 17 and 54 and change of government advocates has been discussed in chapters 10 and 50. However, the book is useful for those who have any interest in Law and administration of justice. It is a tonic for judges, lawyers and teachers of law. The printing and get up of the book is excellent and it has been reasonably priced.

*K.C. Joshi\**

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13. *Supra* note 1, chapters 23, 27, 28, 29 & 30.

14. *Id.* chapter 36.

15. *Id.* chapters 32, 33, 34.

16. *Id.* chapter 62.

\* Former Head and Dean, Faculty of Law, Kumaon University.



## BOOKS RECEIVED FOR REVIEW

P.K. SARKAR, *Housing Laws in India* (2000). Eastern Law House Pvt. Ltd., 54, Ganesh Chunder Avenue, Calcutta – 700 013. Pp. [89] + 861. Price Rs. 700/-.

R.S. SHARMA, *Interpretation of Commodities* (1st ed. 2000). Ratanlal Law Publication, 77/1, Kalyan Nagar, Garh Road, Meerut – 250 002. Pp. xxxiii + 207. Price Rs. 225/-.

P.S. VERMA, *Law of Human Rights* (2000). Law Publications, Vyapar Kar Bhawan, Collectorate Compound, Raj Nagar, Ghaziabad, U.P. Pp. xxx + 117. Price Rs. 220/-.

B.L. WADEHRA, *Law Relating to patents, Trademarks, Designs & Geographical Indications*, (2nd ed. 2000). Universal Law Publishing Co. Pvt. Ltd., C-FF-1A, Ansal's Dilkhush Industrial Estate, G.T. Karnal Road, Delhi – 110033. Pp. lix + 612. Price Rs. 340/-.

PARAS DIWAN, *Law of Adoption, Minority, Guardianship & Custody* (3rd ed. 2000). Universal Law Publishing Co. Pvt. Ltd., C-FF-1A, Ansal's Dilkhush Industrial Estate, G.T. Karnal Road, Delhi – 110033. Pp. cv + 1020. Price Rs. 750/-.

M.A. SUJAN, *Law Relating to Govt. Contracts* (3<sup>rd</sup> ed. 2000). Universal Law Publishing Co. Pvt. Ltd., C-FF-1A, Ansal's Dilkhush Industrial Estate, G.T. Karnal Road, Delhi – 110033. Pp. lxxiii + 1466. Price Rs. 950/-.

NANDAN KAMATH, *Law Relating to Computers, Internet & E-commerce* (1st ed. 2000), Universal Law Publishing Co. Pvt. Ltd., C-FF-1A, Ansal's Dilkhush Industrial Estate, G.T. Karnal Road, Delhi – 110033. Pp. xxxiv + 517. Price Rs. 395/-.

JATINDER SINGH, *A Lawyer's World and Childhood Dreams* (2nd ed. 2000). Law Publishers (India) Pvt. Ltd. 18-A, S.P. Marg, Allahabad. Pp. xxiv + 238. Price Rs. 200/-.

T. RAMAPPA, *Intellectual Property Rights under WTO: Tasks before India* (2000). Wheeler Publishing, 411, Surya Kiran, 19, K.G. Marg, New Delhi – 110001, Pp. xii + 210. Price Rs. 250/-.

J.N. BAROWALIA, *The Consumer Protection Act* (2nd ed. 2000). Universal Law Publishing Co. Pvt. Ltd. C-FF-1A, Ansal's Dilkhush



Industrial Estate, G.T. Karnal Road, Delhi – 110033. Pp. lxxiii + 1263. Price Rs. 895/-.

M.V. PYLEE, *Our Constitution, Government and Politics* (1st ed. 2000), Universal Law Publishing Co. Pvt. Ltd., C-FF-1A, Ansal's Dilkhush Industrial Estate, G.T. Karnal Road, Delhi – 110033. Pp. ix + 198. Price Rs. 185/-.

M.A. SUJAN, *Interception of Contracts* (2nd ed. 2000). Universal Law Publishing Co. Pvt. Ltd., C-FF-1A, Ansal's Dilkhush Industrial Estate, G.T. Karnal Road, Delhi – 110033. Pp. xlii + 376. Price Rs. 370/-.