



2025 INSC 1082

NON-REPORTABLE
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). OF 2025
(Arising out of SLP (Civil) No (s). 23725-23726 of 2024)

SIDDHARTH **....APPELLANT(S)**

VERSUS

STATE OF MADHYA PRADESH
AND OTHERS **....RESPONDENT(S)**

J U D G M E N T

Mehta, J.

1. Heard.
2. Leave granted.
3. The appellant herein is an Advocate who filed and pleaded the Writ Petition No. 6228 of 2022 before

the High Court of Madhya Pradesh at Jabalpur¹ on behalf of the writ petitioners.

4. The Division Bench of the High Court, while dealing with Writ Petition No. 6228 of 2022, made the following observations against the appellant, in its final order dated 6th April, 2022: -

“**7.** Before concluding it would be appropriate to comment upon the conduct of learned counsel for petitioners which borders on professional impropriety. Learned counsel for petitioners - Shri Siddharth Gupta while relying upon the decision of the Apex Court in the case of Index Medical College Hospital & Research Centre (supra) failed to disclose that there was no challenge made to the Coordinate Bench decision dated 15.12.2020 rendered in Writ Petition No. 18699/2020 whereby the constitutional validity of amended Rule 6 of the Rules of 2018 (as impugned herein) was upheld. The impression given to the Court by Shri Siddharth Gupta, learned counsel for petitioners was that the entire judgment rendered on 15.12.2020 including the one rendered in Writ Petition No. 18699/2020 (Arushi Mahant and others Vs. State of M.P.) was upturned by the Apex Court. In all fairness, learned counsel for petitioners ought to have informed this Court in the very beginning before relying upon the decision of the Apex Court in Index Medical College Hospital & Research Centre. Unfortunately, this was not done. This Court came to know about this fact only when the counsel for State Shri Ashish Anand Bernad pointed this out. Accordingly, this Court records

¹ Hereinafter, being referred to as “High Court”.

its displeasure about the conduct of counsel for petitioners - Shri Siddharth Gupta.”

5. The observations made in the aforesaid para of the impugned order cast an aspersion on the conduct of the appellant Siddharth Gupta, Advocate who was representing the writ petitioners before the High Court.

6. It is in these circumstances, the appellant has approached this Court seeking expunction of the aforesaid adverse observations made by the High Court while deciding the writ petition.

7. Shri Siddharth Bhatnagar, learned senior counsel appearing for the appellant submitted that the appellant tenders unconditional apology for the mistake, if any, committed while presenting and arguing the aforesaid writ petition before the High Court. Without prejudice to the above, learned senior counsel urged that the appellant was not engaged or involved as a counsel in the connected Writ Petition No. 18699 of 2020 titled “*Arushi Mahant & Ors. vs. Medical Education Department & Ors.*” in relation where to adverse observations have been made and thus, the omission, if any, on the part of the appellant was *bona fide* and the appellant had no intention

whatsoever to mislead the Court. He thus, urged that the adverse observations made in the impugned order may be directed to be expunged.

8. It may be noted herein that despite service, no one has entered appearance on behalf of the respondents.

9. Having considered the submissions advanced at bar and after going through the afore-quoted para of the impugned order rendered by the High Court, we feel that the adverse observations made against the Advocate (*supra*) could have been avoided in the facts and circumstances of the case. It is the specific case of the appellant herein that he was not an Advocate engaged in the case of *Arushi Mahant (supra)* and thus, the possibility of the fact regarding the decision rendered in Writ Petition No. 18699 of 2020 not having been challenged any further may have *bona fide* escaped the notice of the appellant.

10. In this backdrop, we are of the opinion that the adverse observations *supra* made in Para 7 of the impugned order deserve to be and are hereby expunged so far as they relate to the appellant.

11. In view of the aforesaid, the order dated 5th January, 2024 passed by the High Court, dismissing

IA No. 17812 of 2023 in Writ Petition No. 6228 of 2022 filed by the appellant, seeking modification of final order passed in the writ petition to the extent it records adverse remarks in respect of the conduct of the appellant, is also quashed and set aside.

12. The appeals are disposed of, in the aforesaid terms.

13. Pending application(s), if any, shall stand disposed of.

.....**J.**
(VIKRAM NATH)

.....**J.**
(SANDEEP MEHTA)

NEW DELHI;
SEPTEMBER 09, 2025.