



# Communique

NEWS LETTER FOR PRIVATE CIRCULATION AMONG THE LEGAL FRATERNITY

Volume 16

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Part 10

## Notaries form Dist. Union

A meeting of Notaries of Mysore and Chamarajanagar Districts held on 28-1-05 at Mysore under the Presidentship of Mr H.S. Renuka Prasad, working President of Karnataka Notaries Association, Bangalore formed Joint District Union of Notaries and elected Mr. Srinivas Murthy and Mr Suresh Babu as President and Secretary respectively. It was also resolved in the meeting to host State meet of Karnataka State Notaries Association at Mysore on 24-4-2005. In his Presidential Speech Mr. H.S. Renuka Prasad called upon all the Notaries to be united in finding solutions to their problems.

## Tsunami Relief Fund

During January 2005 the following donations were received towards Tsunami relief fund,

From Mr. Ramesh P Kulkarni Rs. 5000, Mr. S.N. Prashanth Chandra Rs. 500.

Lahari Advocates Forum, has remitted Rs. 15,000 to the Prime Minister's Relief fund and Rs 16,028 to the Tamil Nadu Chief Minister's Relief fund for the benefit of Tsunami victims.

## Retired

On 11-1-2005 Mr Justice Shivaraj Patil retired as a judge of the Supreme Court of India. The Supreme Court Bar Association had organised a grant fairwell to justice patil on 12-1-2005.

## Lahari Foundation

□ During the month of January 2005 Lahari Foundation provided Rs 10,000/- as financial assistance to Mr B. Krishna, Advocate who recently met with a road accident.

□ A sum of Rs. 10,000/- is provided as medical assistance during the month to Mr T.H. Chikkavenkateshgowda, Advocate.

## Judges posts to be filled soon

- H.R. Bharadwaj

Union Minister for law and company affairs Mr. H.R. Bharadwaj, announced in Bangalore that the vacancies of judges in the Karnataka High Court would be filled soon. Addressing the Karnataka Pradesh Congress Committee Legal cell convention the Minister said that the Union law ministry would review the strength of the bench at various high courts every two years and take necessary action to fill the vacancies. Elaborating the point the Minister said that when the UPA government took over power at the centre 300 posts of high court judges out of the total strength of 640 posts remained vacant for the last few years an average 50 to 60 vacancies were being filled annually. But in the last six months the union Government had filled as many as 105 posts, he said.

Earlier on the day speaking at an International Seminar on Information Technology, law and governance organised by the International Association of Lawyers, the Minister said that IT had revolutionised the functioning of legal and judicial system all over the world. Inter-Court and Intra Court communication facilities are being developed through the use of IT resulting in simplification of the management of the Courts. A comprehensive programme of full scale computerisation, which will electronically integrate the highest and lowest courts of the country is being pursued with Rs. 1000 crore investment. The Supreme Court of India which is already computerised is in par with any modern court in the world. Karnataka has been a model State for computerisation of courts, the Minister said. He also announced that in the near future the govt plan to issue digitally signed certified copies on Internet, and provide facilities for providing e-filing, e-kiosks, e-courts and video conferencing.

## Republic Day

56th Republic Day was celebrated in the High court unit under the joint auspices of Advocates Association Bangalore, Bangalore Advocates Co-operative Society Ltd. and Bangalore Advocates Literary Union. Mr. Justice AM Farooq, Judge, High Court of Karnataka, unfurled the National Flag and addressed the gathering. Patriotic songs were sung on the occasion by the members sangeetha lahari.



## Around the Courts

### Criminal Law

□ Sec. 364 A IPC- Abduction for ransom - intention of the accused is sufficient for conviction, no definite manner in which a demand is to be made and who pays the ransom is not the determinative factor;

A bench of the Supreme court comprising Mr Justice Arijit Pasayat and Mr. Justice Prakash Prabhakar Naolekar ruled that the offence of abduction is a continuing offence and that it cannot be laid down a straight jacket formula that the demand for ransom has to be made to a person who ultimately pays. This ruling was given in the last week of December 2004. The court held that what was important to be proved by the prosecution was the intention of the Accused committing the offence. Argument of the Appellants/ Accused that a demand for ransom was not established and in any event the demand was not conveyed to any person was rejected by the court. While upholding the life sentence awarded to the Appellants/ Accused the apex court rejected this appeal. Brief facts of the case are Vijay Bhaskar Reddy, a student of SJM College, Chitradurga, was kidnapped by Malleshi and others on December 27, 1997 and a ransom of Rs 4 lakh was demanded. The sessions court convicted the accused and awarded life sentence. On Appeal the Karnataka High Court upheld the conviction and sentence. The judgement of the high court and the sessions court was in appeal before the apex court.

□ Sec 321 CrPC- withdrawal of prosecution, trial court is not bound by State's decision;

Notwithstanding the fact that a State is the sole incharge of conducting prosecution its recommendation for withdrawal of a case against an accused could be rejected by the trial court if the recommendation is not in the

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**There is a higher court than courts of justice and that is the court of conscience. It supercedes all other courts**

*- Mahathma Gandhi*

## **"Whether the proposed amendments to the Companies Act really needed?"**

**Salem V. Subramanyam**

Amidst the hue and cry in the mal administration of the Companies Act by the commanding position of the directors holding shares, control and management the corporate governance is at stake in eroding the net worth soon. Interestingly, the Central Government of late thought it fit to rewrite the Companies Act by repealing the existing Act. Consequently the Government released a concept paper during August 2004, the prune the voluminous Companies Act by two third of the existing Act. The Companies Act in a whole is mismanaged due to pre-emptive fraudulent scheme and eventually to take recourse to the scheme of amalgamation and sanction there to. Indeed petitions for winding up is often misused, and despite charge created by the companies it will not be registered as required under the statute wantonly. There is every malicious intention in the transfer of property nay, incoming/outgoing of the directors to their personal advantage and to escape from the liability of registration of such transfers/ acquittions, accreditations under the I.R. Act by designing dubious methods to escape stampduty and fee.

Admittedly the Act at present amply provides the checks and balance including launching of prosecution against the errant directors. The SEBI (port folio managers) Regulation 1993 is a feeder Act to the Companies Acts purporting with deterrent penalty. If the subsisting Companies Act and the allied Act has adequate measures, to keep surveillance in the governance of the corporate laws, any proposal mooted to frame dual laws for a public and private companies shall only provoke litigations, interalia strain the laws in the guise of amendments, and mar the true intent of legislation despite enabling the preventive measures. Arbitrary legislation is not the remedy to cure the mismanagement or diversion of funds. The enforcement of the law to its strict-proof alone is the need of the hour and certainly not by any cosmetic change to the prevailing laws., will the government look into this suggestion with serious thoughts?

### **Uniform civil code-need for legislation.**

**R. Vijayakumar, Advocate**

It is trite to say that the constitution is a living thing. It is not static, but it is ever dynamic, changing to the needs of the time and the society. With the passage of time, we have witnessed many amendments to the constitution, no other country has seen. That may not be to suggest that our constitution is not good enough. But, it does signify that our legislators are alive to the problems faced by the citizens of this country.

The essence of equality enshrined in Article 14 of the Constitution of India is to have uniformity in law applicable to the entire country irrespective of the religion, region, creed or other things. Even though, five decades have elapsed after securing independence, India is yet to have uniform civil code. There have been discussions, write-ups, seminars, and debates on the subject. Yet,

there is hardly any forward movement in having a uniform civil code. What are the reasons and causes for not having such a code, which should be self contained and should serve the entire country in its length and breadth, is enigmatic.

It is indeed a tragedy not to have a uniform civil code in this country. The foremost reason appears to be that the lawmakers in this country are not just interested in bringing in legislation, though they are duty bound to do so under article 44 of the constitution. The politicians, presumably, in this country are wary that there would be backlash upon formulation of uniform civil code. There is no other factor, according to me, which deters the legislators in doing so. They just do not want to bring in people of all religions and faith in to the main stream, by having a uniform civil code. The politicians derive benefit

by not bringing the legislation and keep repeating the mantra "Downtrodden", "Minority", et al just for securing votes and nothing more.

Article 44 of the constitution reads thus: Thus state shall endeavour to secure for the citizens a uniform civil code throughout the territory of India.

The object behind this article is to effect an integration of India by bringing all communities on the common platform on matters which are at present governed by diverse personal laws but which do not form the essence of any religion, e.g., divorce, maintenance for divorced wife.

The Hon'ble Supreme Court of India, some 2 decades back, not just in one case, but in two cases, dealt with this aspect. In the case of Ms Jorden Diesngdeh Vs S.S. Chopra reported in A.I.R. 1985 S.C. 935, while referring to the following observations of the learned Chief Justice of India, in the case reported in Mohd. Ahmed Khan Vs Shah Bano Begum reported in 1985 Crl LJ 875 to the effect that "There is no evidence of any official activity for framing a uniform civil code for the country..... A uniform civil code will help the case of national integrity by removing disparate loyalties to laws, which have conflicting ideologies. No community is likely to bell the cat by making in gratuitous concessions on this issue. It is the State which is charged with the duty. If securing a uniform civil code for the citizens of the country and, unquestionably, it has the legislative competence is one thing, the political courage to use that competence is quite another. We understand the difficulties involved in bringing persons of different faiths and persuasions on a common platform. But, a beginning has to be made if the constitution is to have any meaning. Inevitably, the role of the reformer has to be assumed by the courts because; it is beyond the endurance of sensitive minds to allow injustice to be suffered when it is so palpable. But piecemeal attempts of courts to bridge the gap between personal laws cannot take the place of a uniform civil code. Justice to all is a far more satisfactory way of dispensing justice than justice from case to case", laid down the law, at para 7 of the judgement, thus: para 7. It is thus seen that the law relating to judicial separation, divorce and nullity of marriage is far, far from uniform. Surely the time has now come for a complete reform of the law of marriage and makes a uniform law applicable to all people irrespective of religion or caste. It appears to be necessary to introduce irretrievable breakdown of marriage and mutual consent as grounds of divorce in all cases. The case before us is

an illustration of a case where the parties are bound together by a marital tie, which is better untied. There is no point or purpose to be served by the continuance of a marriage, which has so completely, and signally broken down. We suggest that the time has come for the intervention of the legislature in these matters to provide for a Uniform Civil Code of marriage and divorce and to provide by law for a way out of the unhappy situations in which couples like the present have found themselves. We direct that a copy of this order may be forwarded to the Ministry of law and justice for such action as they deem fit to take...." (Emphasis supplied)

Then again, in the case reported in A.I.R. 1985 S.C. page 942 (Mohd. Ahmed Khan Vs Shah Bano Begum and others) a constitution Bench of the supreme court of India, held at para 32 @ page 954 as follows:

Para 32 It is also a matter of regret that article 44 of the Constitution has remained a dead letter.... There is no evidence of any official activity for framing a uniform civil code for the country.... A uniform civil code will help the cause of national integration by removing disparate loyalties to laws, which have conflicting ideologies. No community is likely to bell the cat by making gratuitous concessions on this issue. It is the state which is charged with the duty of securing a uniform civil code for the citizens of this country, and, unquestionably, it has the legislative competence to do so..... Inevitably, the role of the reformer has to be assumed by the courts because; it is beyond the endurance of sensitive minds to allow injustice to be suffered when it is so palpable. But piecemeal attempts of courts to bridge the gap between personal laws cannot take the place of a uniform civil code. Justice to all is far more satisfactory way of dispensing justice than justice from case to case."

In spite of the directions given by the Supreme Court in the two cases referred to above, there was hardly any attempt made to bring in the uniform civil code. After nearly two decades the matter once again got the attention of the Hon'ble Supreme Court of India. The matter arose in the case of John Vallamattom and another v. Union of India reported in I.L.R. 2004 Kar. 738 (S.C.) challenging the vires of section 118 of the Indian Succession Act, 1925. The Hon'ble judges of the Supreme Court of India, speaking separately by concurring in their view, held that section 118 of the Indian Succession Act as ultra vires the Constitution and struck down the said provision. The learned Chief Justice of India directed the State to bring in uniform civil code. It would be indeed beneficial to





## Around the Courts

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interest of justice. This ruling was rendered by the Supreme Court in a judgment delivered during the third week of January 2005. Mr. Justice K.G. Balakrishnan and Mr. Justice B.N. Srikrishna set out a two-point guide line under which a case could be withdrawn. The first of such guide line must be that the case is likely to end in acquittal. Secondly such withdrawal is likely to bring harmony between the parties. The court held that a mere mention by the public prosecutor in the application that the case has been pending for seven years and the Accused had suffered continuous mental harassment through out the trial were not sufficient grounds to accept the plea of withdrawal. Interestingly the Magistrate court & sessions court had rejected the application but MP High court had allowed the withdrawal of prosecution. Setting aside the HC judgment of the Magistrate court and the sessions court. The SC held that discretion, under sec. 321 Cr PC is to be carefully exercised by the court having due regard to relevant facts and "shall not be exercised to stifle the prosecution, which is being done at the instance of the aggrieved parties or the State for redressing their grievance."

### □ Secs 498 A, 406 IPC- Continuation of proceedings after settlement is abusive;

In a judgment delivered during the last week of January 2005 a bench of SC comprising Mr. Justice Santhosh Hegde and Mr. Justice SB Sinha held that where a woman wanted to continue criminal proceedings under Secs 498 A and 406 IPC against her husband, despite an earlier settlement between the two tantamounts to abuse of the process of law and cannot be sustained. The Applicant Nahid Begum, a resident of New Delhi was married to Mohammad Shamim on April 2, 1989. The couple filed a divorce suit after two years, following which Nahid lodged a complaint against Shamim, under Secs, 498A and 406 IPC. During the litigation Shamim agreed to pay Nahid Rs 2.75 lakh as compensation. On this assurance Shamim was released on bail. In the wake of the settlement reached, the couple moved the Delhi HC seeking a direction to quash the FIR against Shamim. However, Nahid took a U- turn during the pending of the case and subsequently filed an application

stating that she did not want to be abide by the compromise reached in the divorce proceedings. The High Court dismissed her plea and consequently Nahid filed an appeal before the apex court. While quashing the FIR the court held that the earlier settlement between the parties appeared to be genuine. "In view of the settlement earlier, the contention advanced by the Appellant that she is unaware of the same is rejected. If her contention is true in first place, she would not have accepted the amount. What least is expected of her is, if she wanted to continue with the criminal proceedings, she should have atleast returned the amount. To us, it appears that the complaint had been filed to harass the husband," the bench observed.

### Service law

#### □ Departmental inquiry and criminal prosecution against a delinquent employee can proceed simultaneously;

In a judgment delivered during last week of December 2004 the SC held that "it fairly well-settled position in law that, on basic principle, proceedings in criminal case and departmental inquiry can go simultaneously, except in some cases where departmental proceedings and criminal case are based on the same set of facts and the evidence in both is common." Delivering the judgment the bench comprising Mr Justice Arijit Pasayat and Mr Justice SH Kapadia, clarified that departmental proceedings could be kept in abeyance only in cases where it would "seriously prejudice the delinquent in his defence at the trial in a criminal case." While delving to lay down any guidelines the SC observed that it has to be judged from the facts and circumstances of each case before determining as to whether departmental proceeding be stayed or not. Setting aside an AP High Court order staying departmental proceedings against a HPCL employee facing trial, the apex court said that it was expedient to expeditiously conduct departmental proceedings for maintaining discipline in the service and efficiency of public service. Taking note of the facts of the case the court said "he cannot be permitted to, on one hand, prolong criminal case and at the same time contend that the departmental proceeding should be stayed on the ground that the criminal case is pending."

### Labour Law

#### □ Sec. 11A Industrial Disputes Act could not be used to alter or reduce the

#### punishment imposed on the workmen;

In a judgment delivered during third week of January 2005, a bench of the SC comprising Mr. Justice N. Santosh Hegde and Mr. Justice SB Sinha, ruled that once misappropriation against the workmen is proved, be the amount small or large, courts should refrain from showing uncalled-for sympathy and reinstate an employee. "In a case of proved misappropriation, there is no question of considering past service reward" by the court that discretion could only be exercised by the employer in appropriate cases. The court made it clear that the labour court could not substitute the penalty imposed by the employer unless it found the punishment to be shockingly disproportionate. While upholding the dismissal of an employee by BHEL on the charge of misappropriation of funds the SC held that the labour court could not exercise jurisdiction under Sec II A of the ID Act to alter or reduce the punishment. The apex court observed that the reasons given by the labour court to reduce the penalty were not sufficient for the purpose of reducing the punishment. Once the employer loses confidence in the workmen on the proven charges of misappropriation "the fact that the misconduct, now alleged, is the first misconduct, again, is no ground to condone the misconduct", the court observed.

### Taxation Law

#### □ Levy of luxury tax on cigarette, gutka- State Governments had no power;

In a judgment dtd 20-1-05 having far-reaching financial implications the Supreme Court in its omnibus order that the state governments have no power to enact a law imposing luxury tax on cigarettes and gutkas as those goods had no service component attached to them. A five judge constitution bench comprising the Chief Justice R C Lahoti, Ms. Justice Ruma pal, Mr Justice Arun Kumar, Mr. Justice G P Mathur and Mr. Justice C K Thakker allowed a bunch of writ petitions filed by various industry houses including Godfrey Phillips India Ltd, CST Industries Ltd., ITC Ltd and Purandas Ranchoddas and sons challenging the luxury tax imposed on cigarettes and gutkas by states of UP, West Bengal, Haryana and Andhra Pradesh. The Petitioners had contended that their products were already taxed under the Central Excise Act and the revenue collected therefrom was shared by

the Centre with States with the rider that the states would not impose sales tax on these products. However, to ship off this provision the states had started imposing luxury tax on these items.

### Representation of people Act

#### □ Illegitimate child will inherit father's caste ;

In a significant judgment delivered on 28-1-05 the SC held that an illegitimate child will not be entitled to the benefits reserved for SCs and STs if the biological father belongs to a forward community. A three judge bench of the court comprising Chief Justice R C Lahoti, Mr Justice G P Mathur and Mr Justice P K Balasubramanyam, ruled that despite the mother belonging to SC or ST community, such a child cannot contest election on attaining majority from a constituency reserved for these sections. While upholding the AP High Court judgment setting aside the election of Telugu Desam candidate Shobha Hymavathi Devi to the State Assembly from Sringavarapukota SC Constituency in Vijayanagaram district in 1999 on the ground that her biological father belonged to a forward community. Dukka Labudu Bariki along with two others filed an Election Petition before AP High Court challenging her election on the ground that she did not belong to Bagatha community which is a notified SC community, as her father belonged to a forward community. Shobha, however, contended that her mother had originally married one Laddu Appala swamy who belonged to the Schedule Cast, later returned to her parental home where she developed intimacy with one Murari Rao, a forward caste teacher and she was born to him. she also contended that since Murari Rao had not married her mother it would be wrong to say that she inherited her father's caste. The HC, however, held that since her biological father belonged to a forward community she cannot claim otherwise and set aside her election.

### Administrative Law

#### □ State Government cannot take over borewells;

Depriving a person of using the borewell sunk in his property by taking possession of it amounts to violation of fundamental right to life and livelihood. In a significant judgment delivered on 25-1-05 Mr. Justice Ram Mohan Reddy, judge, High court of Karnataka, observed that the contention of the State Government that the owner cannot stake claim to the ground water

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## Mandana the new President



M.S. Mandanna, President



G.K. Suresh, Vice President

With effect from 17-1-05 Mr. M.S. Mandanna and Mr. G. K. Suresh have become the President and Vice President of Nyayamithra Sahakara Bank Niyamitha, Bangalore.

## Well done



Mr. Abhyuday A Anand, received his first rank certificate in LLM during the 40th Annual convocation of the Bangalore University held on 27-1-05. Previously he received two gold medals - MK Memorial Trust gold medal for securing highest marks in Constitutional law and Baba Saheb Dr. B.R. Ambedkar commemoration gold medal for scoring highest marks in LLB examination among SC/ST students. Mr. Abhyuday is the eldest son of Mr. K. Abinav Anand Advocate. He passed out LLB from Vivekananda Law College and LLM from University Law College. Lahari Advocates Forum, congratulates Abhyuday A. Anand on this achievements.



## Around the country

On 31-12-2004 Chief Justice of India Ramesh Chandra Lahoti, inaugurated Vijnaneshwara Bhavan and Research Centre at Martur, in Chittapur Taluk, Gulbarga District, Mr Justice M Ramajois, former Governor of Jharkhand and Bihar and the Chief Justice of the High Court of Karnataka N.K. Sodhi and other dignitaries participated in the function.

## OBITUARY

We report, with regret, that ;

On 5-1-05, B. Subba Rao (72), Advocate passed away at Bangalore

On 7-1-05, BV Changalaraya Reddy, Advocate passed away at Bangalore.

On 7-01-05 KV Satya Narayana Rao (78) Advocate Passed away at Bangalore.

On 19-1-05 a Narayana Sastry (54), Advocate, Passed away at Bangalore.

On 28-1-05 a V.C Brahmarayappa, Advocate, passed away at Bangalore.

## Make Cyber Crimes federal crimes

It is imperative to declare cyber crimes as federal crimes and include them as an entry in the list of VII schedule to the Constitution and bring it within the purview of Article 246 (1), said Mr Justice NK Sodhi, chief Justice of the High Court of Karnataka. He was speaking at the valedictory function of the three-day seminar on Information Technology Law and governance organised by the Union Internationale Des Advocates, USA at Bangalore on January 30, 2005.

Speaking of the rise in the cyber crimes, Justice said all that a computer pirate requires is a computer and an internet connection to indulge in cyber terrorism to intimidate or cower the government, the authority or the population. He also said that a cyber criminal had the distinction of anonymity with the advantage of instantaneity, accessibility and privacy and needed no weapon or tool to achieve his objective. Assuring the law makers will be aware of such incidents and adequate provisions to be made in the cyber law against such risks, he said that extending the rule of law to cyber space was critical for e-commerce to reach its full potential in a highly, net worked world.

Quoting the 121st law commission report Justice Sodhi said that it is time that modern technological advancements which have grazed past the judiciary as an institution should be taken advantage of compared to the developed world and India is facing

a greater challenge of judicial delay. Concluding his speech Justice Sodhi remarked that IT needs to be harnessed and introduction of management and legal introduction of management and legal information system, e-kiosks and courts could go a long way to overcome daunting problems in a big way.

## Uniform civil code

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extract the anxiety with which the learned Chief Justice of India, concluded his judgement in the following words:

"44. Before I part with the case, I would like to state that article 44 provides that the state shall endeavour to secure for the citizens a uniform civil code throughout the territory of India. The aforesaid provision is based on the premise that there is no necessary connection between religious and personal law in the civilized society. Article 25 of the constitution confers freedom of conscience and free profession, practice and propagation of religion. The aforesaid two provisions viz., articles 25 and 44 show that the former guarantees religious freedom whereas the latter divests religion from social relations and personal law. It is no matter of doubt that marriage, succession, and the like matters of a secular character cannot be brought within the guarantee enshrined under articles 25 and 26 of the Constitution. Any legislation which brings succession and the like matters of secular character within the ambit of articles 25 and 26 is a suspect legislation, although it is doubtful whether the American doctrine of suspect legislation is followed in this country. In Sarala Mudgal v. Union of India (1995(3) SCC 635) it was held that marriage, succession and like matters of secular character cannot be brought within the guarantee enshrined under articles 25 and 26 of the Constitution. It is a matter of regret that Article 44 of the Constitution has not been given effect to. Parliament is still to step in for forming a Common Civil Code in the country. A Common Civil Code will help the cause of national integration by removing the contradictions based on ideologies." (Emphasis supplied)

This decision has come at a time when the Country has a Government in place after going through the election process of constituting the 14th Lok Sabha. It is common ground that all the political parties in this country are advocating national integration. It would be in the interest of this country that some concrete step is taken towards implementing article 44 of Constitution in its letter and spirit, so that aspirations of the people of the country is fulfilled.

## Miscellany

With effect from 14-1-2005 Mr MG Padmanabhachary, Advocate shifted his law chamber from Kilari Road, to No 8/9, Basement Floor, Prabhat Complex, Kempe Gowda Road, Bangalore 560 009.

MR. B.S. Narayan has submitted a memorandum dated 10-1-05 to the President, AAB requesting to suggest amendments to the Contempt of Courts Act, after obtaining the views of the general body on the subject. He has also drawn the attention to the fact of introduction of an amendment bill introduced in Parliament during December 2004.

## News Focus

On 25-1-05 AAB had organised a flute recital by Smt. Lokamatha Vidyashankar, at the High Court unit. Sri D.L. Jagadeesh, President AAB, presided.



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## Around the Courts

was reckless. The Administrative Law of accountability of public authorities for their arbitrary action has taken many strides. Any ordinary citizen is hardly equipped to match the might of the State. If a public functionary acts oppressively and the exercise of power results in agony, then it is not an exercise of power amounts to abuse. The court held that the action of the government in taking over the borewell is a capricious action which resulted in blatant abuse of power. Making observations on the claim of compensations by the Petitioner the court directed to file a representation before the competent authority seeking compensation. In this regard the court observed that "When the claim for compensation arises due to arbitrary behaviour, it loses its individual character and assumes social significance. Such harassment by the State is socially impermissible."

The Petitioner Ashok Kedamani of Annigere village, submitted that the village had faced acute water shortage since the year 2000. However, the borewell in his land had sufficient ground water and he shared the water along with villagers. On march 26, 2003 the state government directed him to handover the borewell to it since there was water shortage in the village. This direction was challenged by the Petitioner before the High Court.



## ಸಾಂಸ್ಕೃತಿಕ ಸ್ಪರ್ಧೆಗಳ ಬಹುಮಾನ ವಿಜೇತರು

೪೯ ನೇ ಕನ್ನಡ ರಾಜ್ಯೋತ್ಸವ ಅಂಗವಾಗಿ ಬೆಂಗಳೂರು ವಕೀಲರ ಸಾಹಿತ್ಯ ಕೂಟ ವಕೀಲರಿಗಾ ವೈವಿಧ್ಯಮಯ ಸಾಂಸ್ಕೃತಿಕ ಸ್ಪರ್ಧೆಗಳನ್ನು ದಿನಾಂಕ ೮-೧೧-೦೪ ರಿಂದ ೨೧-೧೧-೦೪ ರವರೆಗೆ ಏರ್ಪಡಿಸಿತ್ತು. ಸ್ಪರ್ಧೆಗಳಲ್ಲಿ ಕೆಳಕಂಡ ವಕೀಲ ಮಿತ್ರರು ಬಹುಮಾನಗಳನ್ನು ಪಡೆದಿರುತ್ತಾರೆ. ಬಹುಮಾನಗಳನ್ನು ಕನ್ನಡ ರಾಜ್ಯೋತ್ಸವ ಹಾಗೂ ಕುವೆಂಪು ಜನ್ಮಶತಮನೋತ್ಸವ ಆಚರಣೆಯ ದಿನವಾದ ೧೦-೧೨-೨೦೦೪ ರಂದು ವಿತರಿಸಲಾಗುವುದು.

### ಕನ್ನಡ ಪ್ರಥಮಾಕ್ಷರಿ

ರವಿಕುಮಾರ. ಜಿ. ಎಸ್.	ಪ್ರಥಮ
ನಟರಾಜ್. ಜಿ. ಕೆ.	ದ್ವಿತೀಯ
ರಾಧ. ಬಿ.ಪಿ.	ತೃತೀಯ
ಮಹದೇವ ಸ್ವಾಮಿ	ಸಮಾಧಾನ ಕರ

### ದೇಶ ಭಕ್ತಿ ಗೀತೆ

ಶ್ರೀನಿವಾಸ ಮೂರ್ತಿ	ಪ್ರಥಮ
ಜಯಶ್ರೀ	ದ್ವಿತೀಯ
ರಾಧ. ಬಿ.ಪಿ.	ತೃತೀಯ
ಸಿದ್ದಪ್ಪ. ಪಿ	ಸಮಾಧಾನ ಕರ

### ಭಾವಗೀತೆ

ಭಾರತಿ ಭಟ್	ಪ್ರಥಮ
ಶ್ರೀನಿವಾಸ. ಡಿ.	ದ್ವಿತೀಯ
ಮುನಿಯಪ್ಪ	ತೃತೀಯ
ತೇಜಸ್ವಿನಿ	ಸಮಾಧಾನ ಕರ

### ಜನಪದ ಗೀತೆ

ಚಂದ್ರಪ್ಪ. ಟಿ.	ಪ್ರಥಮ
ರಾಧ. ಬಿ.ಪಿ.	ದ್ವಿತೀಯ
ಕೃಷ್ಣಮೂರ್ತಿ. ಆರ್. ಟಿ.	ತೃತೀಯ
ಶ್ರೀನಿವಾಸ ಎ.ಡಿ.	ಸಮಾಧಾನ ಕರ

### ಅಣಕು

ದಾಸ್. ಟಿ. ಆರ್.	ಪ್ರಥಮ
ತಿಮ್ಮೇಗೌಡ. ಟಿ.	ದ್ವಿತೀಯ
ಬಸವರಾಜ್ ಕೆ. ಎಂ.	ತೃತೀಯ
ಕೃಷ್ಣಮೂರ್ತಿ. ಆರ್. ಟಿ.	ಸಮಾಧಾನ ಕರ

### ಕನ್ನಡ ಚಲನಚಿತ್ರ ಗೀತೆ

ಜಯಶ್ರೀ	ಪ್ರಥಮ
ಶ್ರೀನಿವಾಸಮೂರ್ತಿ	ದ್ವಿತೀಯ
ತೇಜಸ್ವಿನಿ	ತೃತೀಯ

(2ನೇ ಪುಟಕ್ಕೆ)

## ವಕೀಲ ಕಪ್ ೨೦೦೫

ಕ್ರೀಡಾಸಕ್ತ ವಕೀಲರನ್ನು ವೃತ್ತಿಯ ಯಾಂತ್ರಿಕತೆಯ ಪರಿಸರದಿಂದ ಕೆಲವು ಗಂಟೆಗಳಾದರೂ ಪಾರುಮಾಡಿ, ಅವರಲ್ಲಿ ನವ ಚೈತನ್ಯವನ್ನು ಮೂಡಿಸುವಲ್ಲಿ ಯಶಸ್ವಿಯಾದ ಮೂರು ದಿನಗಳ 'ವಕೀಲ ಕಪ್ ೨೦೦೫' ಕ್ರಿಕೆಟ್ ಪಂದ್ಯಾವಳಿಗಳು ಜನವರಿ ೧೧ ರಿಂದ ಜ. ೧೨ ರವರೆಗೆ ಸರ್ಕಾರಿ ಕಲಾಕಾಲೇಜು ಮೈದಾನದಲ್ಲಿ ಉತ್ಸಾಹ ಭರಿತವಾಗಿ ನಡೆದವು.

ಹನ್ನೆರಡು ಸೀಮಿತ ಓವರ್‌ಗಳ ಈ ಟೆನ್ನಿಸ್‌ಬಾಲ್ ಟೂರ್ನಮೆಂಟನ್ನು ಜ. ೧೧ರಂದು ನ್ಯಾಯಮೂರ್ತಿಗಳಾದ ಎಸ್. ಆರ್. ನಾಯಕ್ ಅವರು ನ್ಯಾಯಮೂರ್ತಿ. ಎಚ್. ಎಲ್. ದತ್ತು ಅವರ ಅಧ್ಯಕ್ಷತೆಯಲ್ಲಿ ಉದ್ಘಾಟಿಸಿದರು. ಸಮಾರಂಭದಲ್ಲಿ ಬೆಂಗಳೂರು ನಗರ ಪ್ರಧಾನ ಸಿವಿಲ್ ನ್ಯಾಯಾಧೀಶರಾದ ಅರಳಿನಾಗರಾಜ್ ಮತ್ತು ಗ್ರಾಮಾಂತರ ಜಿಲ್ಲೆಯ ಪ್ರಧಾನ ಸಿವಿಲ್ ನ್ಯಾಯಾಧೀಶರಾದ ಬಿ.ಎಸ್. ಇಂದ್ರಕಲಾ, ವಕೀಲರ ಸಂಘದ ಅಧ್ಯಕ್ಷರಾದ ಡಿ.ಎಲ್. ಜಗದೀಶ್ ಮೊದಲಾದವರು ಭಾಗವಹಿಸಿದ್ದರು.



ಮಹಿಳಾ ವಕೀಲರ ಎರಡು ತಂಡಗಳೂ ಸೇರಿದಂತೆ ಒಟ್ಟು ೩೫ ತಂಡಗಳು ಟೂರ್ನಮೆಂಟಿನಲ್ಲಿ ಭಾಗಿಯಾಗಿದ್ದು ೫೨೦ ಮಂದಿ ಕ್ರೀಡಾಪಟುಗಳು ಪಂದ್ಯಗಳಲ್ಲಿ ಶ್ರದ್ಧೆ, ಆಸಕ್ತಿಗಳಿಂದ ಆಡಿ ಸಂತಸಪಟ್ಟರು. ವಿಶಾಲವಾದ ಸರ್ಕಾರಿ ಕಾಲೇಜಿನ ಮೈದಾನವನ್ನು ಹಲವು ಕೋಟುಗಳಾಗಿ ಮಾರ್ಪಡಿಸಲಾಗಿತ್ತು. ಶ್ವೇತ ವಸ್ತ್ರಧಾರಿಗಳಾಗಿ ಒಟ್ಟಿಗೇ ೩೦-೪೦ ಸಂಖ್ಯೆಯಲ್ಲಿ ಕೋರ್ಟ್‌ಗಳಿಗಿರುತ್ತಿದ್ದ ಈ ಕರೀಕೋಟಿನ ಬಳಗ ನೋಡುಗರಲ್ಲಿ ಆಹ್ಲಾದ ಉಂಟುಮಾಡುತ್ತಿತ್ತು. ಸ್ನೇಹಿತರನ್ನು ಹುರಿದುಂಬಿಸಲು ಮೈದಾನದ ಸುತ್ತ ಸೇರುತ್ತಿದ್ದ ವಕೀಲರಂತೆಯೇ ಸಿವಿಲ್ ಕೋರ್ಟ್ ಸಂಕೀರ್ಣದ ಎಲ್ಲ ಅಂತ್ಯಸ್ಥಗಳಲ್ಲಿ ನಿಂತು ಪಂದ್ಯಾವಳಿಯನ್ನು ವೀಕ್ಷಿಸುತ್ತಿದ್ದ ಕಕ್ಷಿದಾರರು ವಕೀಲರು; ಕಣ್ಣಿಗೆ ಹಬ್ಬವಾಗಿತ್ತು ಪಂದ್ಯಗಳ ದೃಶ್ಯ.

ತಿಂಗಳು ಗಟ್ಟಲೆ ಶ್ರಮವಹಿಸಿ ಇಷ್ಟೊಂದು ದೊಡ್ಡ ಪ್ರಮಾಣದಲ್ಲಿ ಸಂಘಟಿಸಿದ್ದಾ ಈ ಟೂರ್ನಮೆಂಟಿನ ಉದ್ದಕ್ಕೂ ಕ್ರೀಡಾಪಟುಗಳು ತೋರಿದ ಉಚ್ಚಮಟ್ಟದ ಶಿಸ್ತಿನಿಂದಾಗಿ ಎಲ್ಲವೂ ಸೂಸೂತ್ರವಾಗಿ ನೆರೆವೇರಿದ್ದು ಉತ್ಸಾಹ ವಕೀಲರ ಉತ್ತಮ ಕ್ರೀಡಾಮನೋಭಾವಕ್ಕೆ ಸಾಕ್ಷಿಯಾಗಿತ್ತು.

ಜನವರಿ ಹದಿಮೂರರ ಸಂಜೆ. ನ್ಯಾಯಮೂರ್ತಿ ಎಸ್. ಗೋಪಾಲ ಗೌಡ, ನ್ಯಾಯಮೂರ್ತಿ. ವಿಶ್ವನಾಥ ಶೆಟ್ಟಿ, ಅವರ

ಅಧ್ಯಕ್ಷತೆಯಲ್ಲಿ ಬಹುಮಾನ ವಿತರಣೆ ಮಾಡಿದರು. ಮಹಿಳಾ ವಿಭಾಗದಲ್ಲಿ ಎರಡೇ ತಂಡಗಳು ಇದ್ದುದರಿಂದ ವಿನ್ನರ್ಸ್ - ರನ್ನರ್ಸ್ ಬಹುಮಾನಗಳು ಇಬ್ಬರಿಗೂ ದೊರೆತರೆ, ಪುರುಷರ ವಿಭಾಗದ ವಿನ್ನರ್ಸ್‌ಗಳಾಗಿ ಲಕ್ಷ್ಮಿ ಇಲವನ್ ವಕೀಲ ಕಪ್ ಪಡೆದವು, ಫೌಂಡ್ಸ್ ಇಲವನ್ ತಂಡ ರನ್ನರ್ಸ್ ಬಹುಮಾನವನ್ನು ಪಡೆಯಿತು.

'ವಕೀಲ ಕಪ್ ೨೦೦೫'ರ ಯಶಸ್ವಿನಿಂದ ಉತ್ತೇಜಿತರಾದಂತೆ ಕಾಣುವ ಕ್ರೀಡಾ ಸಮಿತಿಯ ಅಧ್ಯಕ್ಷರಾದ ಟಿ. ಜಿ. ರವಿಯವರು ಈ ಮಾದರಿಯಲ್ಲಿಯೇ ವಾಲಿಬಾಲ್ ಹಾಗೂ ಕಬಡ್ಡಿ ಪಂದ್ಯಗಳನ್ನು ನಡೆಸಲು ಪ್ರಯತ್ನ ಪಡುವುದಾಗಿ ಹೇಳಿದರು. ಅಂತೆಯೇ ಪಂದ್ಯಾವಳಿ ನಡೆಸಲು ನೆರವಾದ ಸರ್ವಶ್ರೀ ಎಸ್. ರಘುನಾಥಗೌಡ, ಲಕ್ಷ್ಮೀನಾರಾಯಣ್, ಜೆ.ಪಿ. ಅಸೋಸಿಯೇಟ್ಸ್, ವೆಂಕಟರೆಡ್ಡಿ, ಮುಂತಾದವರನ್ನು, ಸಂಘ ಸಂಸ್ಥೆಗಳನ್ನು ಹಾಗೂ ಇವೆಲ್ಲಕ್ಕೂ ಪ್ರೇರಕ ಶಕ್ತಿಯಾಗಿ ನಿಂತ ಬೆಂಗಳೂರು ವಕೀಲರ ಸಂಘದ ಪರಾಧಿಕಾರಿಗಳನ್ನು ಸ್ಮರಿಸಿಕೊಂಡರು. ಹಾಗೆಯೇ ಹೆಚ್ಚಿನ ಸಂಖ್ಯೆಯಲ್ಲಿ ಪಂದ್ಯಾವಳಿಯಲ್ಲಿ ಭಾಗವಹಿಸಿದ ಉತ್ಸಾಹಿ ಯುವ ವಕೀಲರನ್ನು ಅಭಿನಂದಿಸಿದರು.

- ಸೂತ್ರಧಾರ ರಾಮಯ್ಯ



### ಕರ್ನಾಟಕ ಚೇತನ ೨೦೦೪

ಸಮಾಜ ಸಾಂಸ್ಕೃತಿಕ ಸಂಸ್ಥೆ ೨೦೦೪ ಸಾಲಿನ ಕ್ರೀಡಾ ಕ್ಷೇತ್ರದಲ್ಲಿ ಸಾಧಿಸಿರುವ ಗಣನೀಯ ಸೇವೆಯನ್ನು ಪರಿಗಣಿಸಿ ದಿನಾಂಕ: ೧೬-೦೧-೨೦೦೫ ರಂದು ಕನ್ನಡ ಮತ್ತು ಸಾಂಸ್ಕೃತಿಕ ಇಲಾಖೆಯ ನಯನ ಭವನದಲ್ಲಿ ನಡೆದ ಸಮಾರಂಭದಲ್ಲಿ ವಕೀಲ ಕು. ಸತ್ಯಶ್ರೀಯವರಿಗೆ "ಕರ್ನಾಟಕ ಚೇತನ 2004" ಪ್ರಶಸ್ತಿ ನೀಡಿ ಪುರಸ್ಕರಿಸಿ ಗೌರವಿಸಿರುತ್ತಾರೆ.



## ಸಾಂಸ್ಕೃತಿಕ ಸ್ಪರ್ಧೆಗಳ ಬಹುಮಾನ ವಿಜೇತರು

(೧ನೇ ಪುಟದಿಂದ)

ಚಂದ್ರಪ್ಪ ಸಮಾಧಾನ ಕರ

## ವಿಕವಾತ್ಸಾಭಿನಯ :-

ಮಲ್ಲಿಕಾರ್ಜುನ ಸ್ವಾಮಿ.ಟಿ.ಸಿ. ಪ್ರಥಮ  
 ಸುಭಾಷ್ ದ್ವಿತೀಯ  
 ನಾಗರಾಜರೆಡ್ಡಿ.ಕೆ.ಎಂ. ತೃತೀಯ  
 ಕೃಷ್ಣಮೂರ್ತಿ. ಆರ್. ಟಿ. ಸಮಾಧಾನ ಕರ

## ಆಶುಭಾಷಣ :-

ನರಸಿಂಹಮೂರ್ತಿ.ಹೆಚ್.ಎಸ್. ಪ್ರಥಮ  
 ಮಂಜುನಾಥ . ವಿ. ದ್ವಿತೀಯ  
 ಬಸವರಾಜಪ್ಪ ಬಿ.ಆರ್. ತೃತೀಯ  
 ವೀಣಾ. ಎಂ. ಸಮಾಧಾನಕರ  
 ಸತ್ಯಶ್ರೀ. ಬಿ. ಜೆ. ಸಮಾಧಾನಕರ

## ವೇಷಭೂಷಣ :-

ಸತ್ಯಶ್ರೀ. ಬಿ. ಜೆ. ಪಿ. ಪ್ರಥಮ  
 ವಿಜಯಕುಮಾರ್.ಎಂ.ಹೆಚ್. ದ್ವಿತೀಯ  
 ವೀಣಾ. ಎಂ. ತೃತೀಯ  
 ಕೃಷ್ಣಮೂರ್ತಿ. ಆರ್. ಟಿ. ಸಮಾಧಾನ ಕರ  
 ನರಸಿಂಹಮೂರ್ತಿ ಸಮಾಧಾನ ಕರ

## ಪ್ರಬಂಧ ಸ್ಪರ್ಧೆ (ಕುವೆಂಪು ಜೀವನ ಸಾಹಿತ್ಯ ಕುರಿತು)

ಬಸವರಾಜಪ್ಪ ಡಿ. ಆರ್. ಪ್ರಥಮ  
 ಜಯಶ್ರೀ. ಆರ್. ಎಸ್. ದ್ವಿತೀಯ  
 ವಿಶ್ವನಾಥ ರೆಡ್ಡಿ. ಜಿ. ತೃತೀಯ  
 ರೇವಣ್ಣ. ಪಿ.ಸಿ. ಸಮಾಧಾನಕರ  
 ವೀಣಾ. ಎಂ. ಸಮಾಧಾನಕರ  
 ಶ್ರೀ ಶೈಲಾ ಗೊಬ್ಬಾಗಿ ಸಮಾಧಾನಕರ

## ರಂಗೋಲಿ ಸ್ಪರ್ಧೆ

ಮಂಜುನಾಥ. ವಿ. ಪ್ರಥಮ  
 ವೀಣಾ. ಎಂ. ದ್ವಿತೀಯ  
 ಗ್ರೇಸ್ ಪದ್ಮ ತೃತೀಯ  
 ಜಯಶ್ರೀ ಸಮಾಧಾನಕರ  
 ರಮಾದೇವಿ. ಎ. ಜಿ. ಸಮಾಧಾನಕರ  
 ಕೃಷ್ಣವೇಣಿ. ಪಿ. ಸಮಾಧಾನಕರ

## ಸ್ಥಳದಲ್ಲಿ ಚಿತ್ರ ಬರೆಯುವ ಸ್ಪರ್ಧೆ

## ವಯೋಮಿತಿ. ೩-೮ ರವರೆಗೆ

ವಿಕ್ರೇತ.ಬಿ.ಎ. ಪ್ರಥಮ  
 ಭಾವನ ಎಸ್. ದ್ವಿತೀಯ  
 ಫಲ್ಲುಣಿ. ಬಿ. ತೃತೀಯ  
 ದೀಕ್ಷಿತ್ ಸಮಾಧಾನಕರ  
 ಅನುಪರಾಜ್ ಸಮಾಧಾನಕರ  
 ಹೇಮಾಪಟೇಲ್ ಸಮಾಧಾನಕರ

## ವಯೋಮಿತಿ. ೮-೧೨ ರವರೆಗೆ

ಲಿಖಿತ. ಟಿ. ಪ್ರಥಮ  
 ಪೂರ್ಣಿಮ ದ್ವಿತೀಯ  
 ಪಲ್ಲವಿರಾಜ್ ದ್ವಿತೀಯ  
 ತರತ ಎಸ್. ನಾಯಕ ತೃತೀಯ  
 ಕಿರಣ್. ಆರ್. ತೃತೀಯ  
 ನವೀನ್ ರತ್ನಾ. ಕೆ. ಸಮಾಧಾನಕರ  
 ಅಪೇಕ್ಷ ಸಮಾಧಾನಕರ  
 ಶ್ವೇತಾ ಸಮಾಧಾನಕರ  
 ವಿಶ್ವಾಸ್ ಪಿ.ವಿ. ಸಮಾಧಾನಕರ

ದಿವಾಕರ ಮದ್ದೂರ ಎಂ.

ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ

## ಹಾಸ್ಯಲಹರಿ ಒಂದು ಮೆಲುಕು

(ಕನ್ನಡ ಭಾವಾನುವಾದ ಸೂ.ರಾ)

ವಕೀಲರು 1 : ಯಾಕೋ ಗಂಟಲು ಉದಿಕ್ಕೊಂಡಿದೆ.  
 ಮಾತೇ ಆಡೋಕಾಗಲ್ಲ.

ವಕೀಲರು 2 : ಔಷಧಿ ತಗೊಂಡು ಬೇಗ ವಾಸಿ ಮಾಡಿಕೋ.

ವಕೀಲರು 1 : ಇಲ್ಲ, ಔಷಧಿ ತಗೋಳೋದಿಲ್ಲ. ಮುಂದಿನ  
 ವಾರ ಬಹಳ ಕೇಸುಗಳಿವೆ. ಅಡ್ವರ್ನ್‌ಮೆಂಟ್‌ಗೆ ಅವಕಾಶ  
 ಸಕಾರಣವಾಗಿ ಸಿಕ್ಕಿರೋವಾಗ ಬಿಡೋಕಾಗುತ್ತಾ.

\* \* \*

“ಎಳೇನಾಗರ ಎಷ್ಟೇ ಎಗರಾಡಿದ್ದು ಹಳೇ ವಾಸುಕಿ ಮುಂದೆ  
 ಬಿಚ್ಚಾರ್ ಬಾಲಾನಾ” ಅನ್ನೋ ಕೈಲಾಸಂ ಜೋಕನ್ನು ನೆನಪಿಸುವ  
 ಒಂದು ಪ್ರಸಂಗ :

ಡಿವಿಜನ್ ಬೆಂಚ್ ಹಿಯರಿಂಗ್ ನಡೆದಿತ್ತು. ಸೀನಿಯರ್  
 ಪಾರ್ಟ್‌ನರ್ ಸ್ವಲ್ಪ ತೂಕಡಿಸಿದ್ದನ್ನು ನೋಡಿದ ಜೂನಿಯರ್  
 ನ್ಯಾಯಮೂರ್ತಿಗಳು, ಸ್ವಲ್ಪ ಕಣಕುವ ಸಲುವಾಗಿ  
 ಆಗ್ಸುಮೆಂಟ್ಸ್ ಮುಗಿದ ತಕ್ಷಣ “ಮೈಸೀನಿಯರ್ ವಿಲ್  
 ಡೆಲಿವರ್ ದಿ ಜಡ್ಜ್‌ಮೆಂಟ್” ಅಂದರು. ಕೂಡಲೇ ಎಚ್ಚಿತ್ತು  
 ಕೊಂಡ ಸೀನಿಯರ್, ಸ್ವಲ್ಪ ಕೆಮ್ಮಿ, ರೀವಿಯಿಂದ ಹೇಳಿದರು :  
 “ಜಡ್ಜ್‌ಮೆಂಟ್ ರಿಜರ್ಡ್”

\* \* \*

ಆ ಅಪರಾಧದ ಪ್ರಕರಣ ಕೊನೇ ಹಂತ ತಲುಪಿತ್ತು.  
 ಫಲಿತಾಂಶದ ಬಗೆಗೆ ಅಪರಾಧಿಪರ ವಕೀಲರಿಗೂ ಮನವರಿಕೆ  
 ಆಗಿತ್ತು. ಆಗ ನ್ಯಾಯಾಧೀಶರು ಅಟಾರ್ನಿಯನ್ನು ಕುರಿತು :  
 ನೋಡಿ, ನಿಮಗೆ ಹದಿನೈದು ನಿಮಿಷ ಕಾಲಾವಕಾಶ ನೀಡುತ್ತೇನೆ.  
 ಅಪರಾಧಿಗಿ ನಿಮ್ಮ ‘ಉತ್ತಮವಾದ ಸಲಹೆ’ಯನ್ನು (best  
 advice) ನೀಡಬಹುದು ಎಂದಾಗ ಅಟಾರ್ನಿ ಅಪರಾಧಿಯನ್ನು  
 ಕೋರ್ಟಿನಿಂದ ಹೊರಗೆ ಕರೆದುಕೊಂಡು ಹೋದರು. ಹದಿನೈದು  
 ನಿಮಿಷದ ತರುವಾಯ ವಕೀಲರೊಬ್ಬರೇ ನ್ಯಾಯಾಲಯದ ಒಳಗೆ  
 ಬಂದದ್ದನ್ನು ನೋಡಿದಾಗ

ನ್ಯಾಯಾಧೀಶರು : “ಎಲ್ಲಿ ವಕೀಲರ ‘ಅಪರಾಧ’ ಎಲ್ಲಿ?

ಅಟಾರ್ನಿ : ಅವನು ಓಡಿ ಹೋದ ಸ್ವಾಮಿ. ‘ಉತ್ತಮ  
 ಸಲಹೆ’ಯನ್ನು ನೀಡಿ ಅಂತಾ ತಾವೇ ಅಪ್ಪಣೆ ಕೊಡಿಸಿದ್ದಿರಲ್ಲ  
 ಅಂದರು.

\* \* \*

ಆಗಿನ ಕಾಲದಲ್ಲಿ ಅಮೆರಿಕಾದ ಸುಪ್ರೀಂಕೋರ್ಟಿನಲ್ಲಿ  
 ನ್ಯಾಯಾಧೀಶರುಗಳು ಸುರೇವಿಶರಾಗಿಯೇ ಹಿಯರಿಂಗ್  
 ನಡೆಸುತ್ತಿದ್ದರಂತೆ. ಆದರೆ, ಅತಿಯಾದ ಚಳಿ, ಮಳೆಯಿಂದ  
 ವಾತಾವರಣ ಹದಗೆಟ್ಟಾಗ ಮಾತ್ರ ತೆಗೆದುಕೊಳ್ಳಬಹುದು ಎಂಬ  
 ನಿಯಂತ್ರಣ ಹೇರಲಾಯಿತಂತೆ. ಆಗೊಂದು ದಿನ ಹಿರಿಯ  
 ನ್ಯಾಯಾಧೀಶರು ಸಹೋದ್ಯೋಗಿಯನ್ನು ಕೇಳಿದರಂತೆ : “ಹೇಗಿದೆ  
 ವಾತಾವರಣ ಹೊರಗೆ?” ಅಂದಾಗ “ನೋಡಿ ಬಂದೆ,  
 ವಾತಾವರಣ ಚೆನ್ನಾಗಿಯೇ ಇದೆ ಎಂದರಂತೆ. ಆ ಮಾತಿಗೆ  
 ನಿರಾಶರಾಗದ ಹಿರಿಯ ನ್ಯಾಯಾಧೀಶರು “ನೋಡಿ, ನಮ್ಮದು  
 ಸುಪ್ರೀಂಕೋರ್ಟ್. ಸಹಜವಾಗಿ “ನಮ್ಮ ಅಧಿಕಾರ ವ್ಯಾಪ್ತಿ”  
 ಅಮೆರಿಕಾದಾದ್ಯಂತ ಇದ್ದೇ ಇದೆ. ಇಲ್ಲಿ ಅಲ್ಲದಿದ್ದರೇನಂತೆ ಅಮೆರಿಕಾ  
 ದೇಶದ ಯಾವುದೋ ಮೂಲೆಯಲ್ಲಿ ಮಳೆ ಬಿದ್ದ ಬೀಳ್ತಾ ಇರುತ್ತೆ.  
 ಕಮಾನ್ ‘ಲೆಟ್ ಅಸ್ ರೆಸ್ಪೂನ್ಸ್’ ಎಂದು  
 ಸುರೇವಿಶರರಂತೆ.

\* \* \*

ನ್ಯಾಯಾಧೀಶರು : ಅಲ್ಲಯ್ಯಾ ನಿನ್ನ ಕೇಸನ್ನು ನೀನೇ  
 ನಡೆಸಿಯಾ? ಸಹಾಯಕ್ಕೆ ಯಾರಾದ್ರೂ ವಕೀಲರನ್ನು  
 ನೇಮಿಸಿಕೊಳ್ಳೋದಿಲ್ಲೇನು?

ಆರೋಪಿ : ಇಲ್ಲಾ ಸ್ವಾಮಿ, ನಾನೇನೂ ಅಪರಾಧ ಮಾಡಿಲ್ಲ.  
 ಹಾಗೊಂದು ವೇಳೆ ಮಾಡಿದ್ದೆ, ಖಂಡಿತಾ ಲಾಯರ್‌ನ  
 ನೇಮಿಸಿಕೊಳ್ಳಿದ್ದೆ.

ಕಕ್ಷಿದಾರ : “ಕೆಳಗಿನ ಕೋರ್ಟಿನಲ್ಲಿ ಸೋತು ಹೋಗಿದ್ದೂ  
 ಪರವಾಗಿಲ್ಲ ಸ್ವಾಮಿ. ಏನಾದ್ರೂ ಬೀಡೋಕಾಗಲ್ಲ. ಅಪೀಲ್  
 ಹೋಗಲೇ ಬೇಕು” ಅಂತಾ ವಕೀಲರಿಗೆ ಹೇಳಿದ.

ವಕೀಲ : ಹೆದರಬೇಡಾ, ನಿನ್ನ ಶರೀರದಲ್ಲಿ ಒಂದು  
 ತೊಟ್ಟು ರಕ್ತ ಇರೋವರೂ ಫೈಟ್ ಮಾಡ್ತೀನಿ ಬಿಡು.

ನ್ಯಾಯಾಧೀಶರು (ವಕೀಲರನ್ನು ಕುರಿತು) ಯಾಕೆ ಅಷ್ಟು  
 ಜೋರಾಗಿ ಕೂಗುತ್ತೀರಿ. ನನಗೇನೂ ಕಿವುಡಲ್ಲಾ.

ವಕೀಲರು : ತಮಗೆ ಕಿವುಡಲ್ಲಾಂತ ಗೊತ್ತು ಸ್ವಾಮಿ, ನಾನು  
 ಜೋರಾಗಿ ಮಾತಾಡ್ತೀರೋದು ಇಲ್ಲೇ ಕೂತಿರುವ ನನ್ನ ಕಕ್ಷಿದಾರರಿಗೆ  
 ಕೇಳಲಿ ಅಂತಾ. ದುಡ್ಡು ಕೊಡೋ ದಣಿ ಅವನು. ಅಲ್ಲದೆ  
 ‘ಗ್ರಾಹಕರ ತೃಪ್ತಿ’ಯೇ ನನ್ನ ಧೈಯ ತಾವು ಅಪ್ರೀಷಿಯೇಟ್  
 ಮಾಡ್ತೀರಿ ಅಂದುಕೊಂಡಿದ್ದೀನಿ.

\* \* \*

ದೊಡ್ಡ ಮನುಷ್ಯರೊಬ್ಬರು ಲಾಯರ್‌ಗೆ ಹೇಳಿ ಹೋಗಿದ್ದರು.  
 “ಜಡ್ಜ್‌ಮೆಂಟ್ ಬಂದ ಕೂಡೆ ಟೆಲಿಗ್ರಾಂ ಮಾಡಿ” ಅಂತಾ.  
 ಜಡ್ಜ್‌ಮೆಂಟ್ ಬಂತು. ಸರಿ ಲಾಯರಿಂದ ಟೆಲಿಗ್ರಾಂ  
 ಹೋಯಿತು. “ಸತ್ಯಕ್ಕೇ ಗೆಲುವಾಗಿದೆ” ಅಂತಾ. ಕೂಡಲೇ  
 ದೊಡ್ಡ ಮನುಷ್ಯರಿಂದ ಮರು ತಂತಿ ಬಂತು. ಕೂಡಲೇ  
 ಅಪೀಲನ್ನು ಸಿದ್ಧಪಡಿಸಿ.

\* \* \*

ಯಾವುದೇ ಹೆಂಗಸು ಭಾರತದ ಪ್ರೆಸಿಡೆಂಟ್ ಆಗೋಕೆ  
 ಸಾಧ್ಯವಿಲ್ಲವಂತೆ. ಕಾರಣ ತನಗೆ 35 ವರ್ಷ ಆಗಿದೆ ಅಂತಾ  
 ಫೋಷಿಸಿಕೊಳ್ಳಬೇಕಲ್ಲ. ಅಂತದೇ ಒಂದು ಜೋಕು -

ಮಹಿಳಾ ವಕೀಲರು : “ಎನಮ್ಮ ನಿನ್ನಗೆ ವಯಸ್ಸು ಎಷ್ಟು ?”

ಕಕ್ಷಿದಾರರು : ಹೇಳಲಾರದೆ ಬಹಳ ಕಷ್ಟಪಟ್ಟು ಕೊನೆಗೆ  
 “ನಿಮಗಾಗಿರುವಷ್ಟೇ ವಯಸ್ಸು ನನ್ನದೂ” ಅಂದಳು.

\* \* \*

ಕಕ್ಷಿದಾರರು : ನೀವು ಹೊಸಬರು, ಅನುಭವ ಸಾಲದು ಹ್ಯಾಗೆ  
 ನಿಮಗೆ ಕೇಸನ್ನು ವಹಿಸುವುದು ?

ಕಿರಿಯ ವಕೀಲರು : ಡೋಂಟ್‌ವರಿ ಮಾಡ್ಕೋ ಬೇಡಿ.  
 ನಿಮ್ಮ ಕೇಸು ವಿಚಾರಣೆಗೆ ಬರುವಷ್ಟರಲ್ಲಿ ನಾನು ಸೀನಿಯರ್  
 ವಕೀಲ ಆಗಿರೀನಿ.

## ಬೆನ್ನಿ ಹಿನ್

೧) ಬೆನ್ನಿ ಹಿನ್ ಬಂದರೆ ನೀ ಬೆಂಗಳೂರಿಗೆ

ಕ್ಯಾತೆ ತೆಗೆಯಲು ಹಲವರು ಬೆಂಗಳೂರಿಯನ್ನು

ಕಾದಿದ್ದಾರೆ ಮ್ಯಾನ್

Be careful ಅಂತ ಗಸ್ತು ಫೋರೇಸರ ಕಸತ್ತು

ಜಕ್ಕೂ Aerodrumful ಬಂದೋ ಬಸ್ತು

ಗೃಹ ಇಲಾಖೆ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುತ್ತ

ಆಗಿದ್ದಾರೆ ಸುಸ್ತೋ ಸುಸ್ತು.

೨) ಕ್ಲೈಸ್ತ್ ಪಾರ್ಥಸ ಸಭೆಗೆ ಯಾರಾದರೂ ಹೋಗಿ

ನಂಬಿಕೆ ಇದ್ದವರು ಖಾಯಿರೆ ವಾಸಿ ಮಾಡಿಕೊಳ್ಳಿ

ಇದಕ್ಕಾಗಿ ಏದಿರರಿ ಪ್ರತಿಭಟನೆ ತಾರಕಕ್ಕೆ

ಸಂವಿಧಾನ ಗೌರವಿಸುವ ನಮ್ಮಂತರ ಜನಕ್ಕೆ

“ಅವ”

ಹಿಂದೂಗಳ ವಿರುದ್ಧ ಮಾಡಿದರೆ ಅಪಪ್ರಚಾರ

ಬೆಡದ ಹಾಕಿ ನೂಕಾಕು ಮೊಕದ್ದಮೆ

ಭಾರತಕ್ಕೆ ಕಾರಡದಂತೆ ಮತ್ತೊಮ್ಮೆ

೩) ಮತಾಧೀಶರು, ಸ್ವಾಮಿಗಳು, ಶ್ರೀಗಳು,

ಹರೇ ರಾಮ ಹರೇ ಕೃಷ್ಣ ಸಂದೇಶ

ಸಾರಲು ಹೋಗಿಲ್ಲವೆ ವಿರೋಧಕ್ಕೆ

ಪಾಡ್ತಿ, ಹಿಂದೂತ್ವ ವಿರುದ್ಧ ನೀಡಿದರೆ

ಬೆಡದ ಶಿಕ್ಷೆಗೆ ನಮ್ಮದು ಭಾರತದೇಶ

ಸರ್ವಧರ್ಮಗಳ ನೆರವೀಡು

ಜಾತ್ಯಾತೀತು ಅಶಯಿಸಿರುವುದೇ ನಮ್ಮ ನಾಡು.

೪) ಹಿಂದೂಗಳೆಂದು ದುರ್ಬಲರಲ್ಲ

ಕರುಣಧಯಿ, ಧಾರ್ಮಿಕತೆ ಹಾಲಕರ ಎಲ್ಲ

ಜಾತಿ-ಮತ, ಧರ್ಮ-ಭಾಷೆ, ನೆಲ-ಜಲ, ಮನ ಒಂದೇ

ಪ್ರತಿಕೂಲ ಪ್ರತಿಕ್ರಿಯೆ ಸಾಗದಂತೆ ಮುಂದೆ

ಪರದೇಶಿಗಳ ಮೇಲೆ ಇಡಬೇಕು ಎಚ್ಚರಿಕೆ ಕಣ್ಣು;

ಕೆಚ್ಚಿದೆಯಲ್ಲ ಎಲ್ಲರೂ ಇಲ್ಲಿ ಬಾಳಬೇಕು

ನಾವು ಭಾರತೀಯರು,ತೀರಿಸಬೇಕು ಈ ನಾಡಿನ ಮಣ್ಣಿನ ಮಿಣಿ

ನಮ್ಮ ರಾಷ್ಟ್ರಗೀತೆ “ಜನ ಗಣ ಮನ” ಕಾಡಬೇಕು ಪ್ರತಿಕ್ಷಣ.

ಸತ್ಯಶ್ರೀ ಬಿ.ಜೆ.ಜಿ.

ವಕೀಲರು

(ದಿನಾಂಕ: 21-01-2005 ರಂದು ಉದಯ ಟಿ.ವಿ.ಯ ಹೆಣ್ಣು ನೀ

ಜಾಣೆ ಕಾರ್ಯಕ್ರಮದಲ್ಲಿ ವಾಚಿಸಿರುವ ಕವನ)

ಪ್ರಕಾಶಕರು: ಲಹರಿ ವಕೀಲರ ವೇದಿಕೆ, ಸಂ. ೨೬೯೦, “ಲಕ್ಷ್ಮೀ ದೀಪ” ೧೭ನೇ ಅಡ್ಡರಸ್ತೆ, ಬಸವಕೆರೆ ೨ನೇ ಹಂತ, ಬೆಂಗಳೂರು- ೫೬೦೦೭೦.

ಮುದ್ರಕರು: ನವನೀತ ಮುದ್ರಣಾಲಯ ೭೫, ಡಾ: ಅನಕ ರಸ್ತೆ, ವಿವಿಪುರಂ, ಬೆಂಗಳೂರು- ೫೬೦೦೦೪. ಸಂಪಾದಕರು: ಜಿ.ಎಸ್. ನಟರಾಜನ್, ಸಹ ಸಂಪಾದಕರು: ಸೂತ್ರಧಾರ ರಾಮಯ್ಯ