

News

The Delhi High Court punishes the litigant for using an NGO to extort money and reports the lawyer's actions to the Bar Council.



The litigant's lawyer was involved in filing many of his cases, the court said, and it seemed that he was submitting cases to extort money.

Recently, the Delhi High Court was shocked to learn that a litigant had been bringing cases on claims of unauthorized building with the assistance of his attorney in an apparent attempt to demand money from others [**Azad Market RWA (Regd) vs. Smt. Mamta Yadav**].

The fact that the petitioner (litigant) has been abusing the judicial system to demand money has alarmed and shocked **Justice Mini Pushkarna**.

"These facts are concerning and shocking, revealing the egregious behavior of the petitioner in bringing cases to extort money from individuals by abusing and misusing this Court's procedure." On the one hand, the court must deal with cases of unapproved structures sternly and firmly; on the other hand, the court must make sure that no one abuses the court's procedure to demand money from those who are carrying out such projects. A court proceeding is a solemn procedure meant to advance the cause of justice, not to support the illegal goals of some people, the Court declared.

The defendant, Anil Lodhi, who claimed to be the General Secretary of Azad Market RWA, was then ordered to pay ₹10 lakhs in fees by the court for his actions. It stated that this order ought to be a part of any future petitions that Lodhi or an NGO connected to him might submit.

Additionally, it mentioned that counsel Babu Lal Gupta, who had represented Lodhi in numerous matters, had done so. The court noted that the address of the lawyers' chamber assigned to advocate Gupta was the same as the main address provided for the NGO of which Lodhi claimed to be a trustee.

A district judge's investigation found that the aforementioned chamber was frequently left unlocked. Attorneys from adjacent chambers stated that they did not know how the chambers were actually used and that they were not used every day.

In the end, the Court chose to send the case to the Delhi Bar Council, which was instructed to investigate whether counsel Gupta had broken any of the Bar Council's rules or guidelines.

"The matter is referred to the Bar Council of Delhi, to consider the conduct of Mr. B.L. Gupta ... to assess whether there are any violations of the applicable Rules & Regulations of Bar Council of Delhi, on part of Mr. B.L. Gupta, Advocate in relation to the subject matter herein, and requisite action that is required to be taken, with regard thereto," the ruling from August 7 stated.

Through its general secretary, Anil Lodhi, the Azad Market RWA filed a petition asking the court to issue orders against three suspected illegal and unlicensed development sites in the nation's capital.

However, the Court thought it strange that the building that was the subject of the complaint was not located close to the Residents Welfare Association (RWA), which Lodhi claimed to

represent.

Upon investigation, the Court discovered that Lodhi had previously filed similar petitions against unlawful invasion, including through an NGO with which Lodhi was involved called Green Gold Earth of World.

The Court noted that the NGO was not registered based on a report from the Registrar of Societies' office.

Since the petitioner brought cases alleging illegal construction for oblique motives, the Court concluded that there was a pattern at work. The property owners who were the target of the most recent lawsuit also said that Lodhi had tried to extort money from them.

"The facts presented to this Court are alarming and unsettling. For obviously indirect reasons, alleged NGOs are bringing petitions against properties in this case about improper development. The NGO in question, "**Green Gold Earth of World,**" is not even a registered NGO, which puts the current case on an even more heinous footing, the Court said.

The Court further noted that lawyer Gupta appointed Lodhi as the NGO's trustee.

The Court came to the conclusion that Lodhi and Gupta seemed to have colluded in submitting these applications.

It came to the conclusion that the litigant had abused the legal system with nefarious intentions while posing as a social worker.

Before concluding the case, the court stated that the petitioner had approached it in an unclean manner and had suppressed facts. Azad Market RWA, through its general secretary, Anil Lodhi, was required to pay ₹10 lakh in costs within six weeks.

On behalf of Azad Market RWA, Anil Lodhi made an in-person appearance.

On behalf of respondent Mamta Yadav, attorneys Varun Chandioke, Alok Kumar, and Anubhi Goyal made an appearance.

Saira Tagra and Varun Nischal, both advocates, represented one of the property owners.

The Delhi Jal Board was represented by standing counsel Sangeeta Bharti and advocates Alok Gupta, Ranjeet Singh, and Shreesh Pathak.

The Delhi government was represented by panel counsel (civil) Anubhav Gupta, attorneys Tushar Sannu, and Parvin Bansal.

Advocates **Santosh Ramdurg**, **Moksh Arora**, and Manish Srivastava attended BSES. For the IPCC (respondents), advocate

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