PETITIONER:

S.B. NORONAH (SMT)

Vs.

**RESPONDENT:** 

UNION OF INDIA AND OTHERS

DATE OF JUDGMENT10/05/1993

BENCH:

ACT:

**HEADNOTE:** 

## JUDGMENT:

ORDER

- 1.By this petition the tenant challenges validity of Section 3(c) of Delhi Rent Control Act, 1958. It is claimed that similar petitions are pending in this Court.
- 2.Normally there would have been no difficulty in entertaining this petition but we find that the petitioner had approached this Court earlier by way of petition under Article 136 and his petition was directed to be tagged with other petitions and interim order, too, was granted. Later on at the instance of the landlord the leave was revoked and the petition was dismissed.
- 3.To overcome this hurdle the learned counsel has placed reliance on Hari Singh v. State of Haryana' and A.R. Antulay v. R.S. Nayak2. He urged that a citizen of India has a constitutional right to be treated alike. According to him this Court committed a mistake in revoking leave and depriving the petitioner to avail of his constitutional remedy. Therefore, this Court is constitutionally obliged to grant her protection.
- 4.Existence of constitutional right cannot be disputed. But one of the well-established principles of invoking extraordinary jurisdiction is to approach the Court with clean hands and honest conscience. One cannot abuse the process of Court and yet claim its protection. Since the Bench revoking the leave, found that the petitioner had obtained interim order by suppression of facts, it would not be proper on our part to grant any indulgence to such a litigant. We, therefore, refuse to entertain this petition and dismiss it in limine.