

## **EX-CJ'S CLARIFICATION ON SEALINGS REFUTED**

TIMES NEWS NETWORK

New Delhi: A body of eminent citizens on Wednesday refuted former Chief Justice of India Y K Sabharwal's stand that his orders directing the sealing of lakhs of unauthorised commercial properties in Delhi did not benefit his sons who got into partnerships with mall and commercial complex developers.

Responding to his signed piece in The Times of India, the Campaign for Judicial Accountability and Judicial Reforms (CJAR) led by advocate Prashant Bhushan asserted that Sabharwal's orders "clearly forced the affected establishments to buy or rent space in commercial complexes like those that his sons' company were constructing."

Holding that Justice Sabharwal should have recused himself from dealing with that far-reaching case, CJAR said: "There was a clear conflict of interest and his orders have clearly benefited his sons and their partners."

Since Justice Sabharwal admitted that his sons had entered into business with real estate players, CJAR said one key has remained unanswered: "Why should they go into partnership with these developers who stood to benefit from Justice Sabharwal's orders and that too exactly at the time when he seizes control of the sealing of commercial property case and starts dealing with it?"

As regards his clarification that his sons were not developing shopping malls but only an IT park, CJAR pointed out that an IT park was also a commercial complex and that many commercial establishments sealed were IT centres and BPOs which were forced to buy space in IT parks like that being constructed by his sons and their partners.

In a press release, CJAR also countered Justice Sabharwal's defence that he had made his sons shift the registered offices of their companies from his official residence in Lutyens' Delhi as soon as he had come to know about that irregularity.

On the basis of official records, CJAR said that the registered offices of his sons' companies were in fact shifted out of Sabharwal's official residence "exactly on the day" they entered into a partnership with a mall developer on October 23, 2004, "making it very risky to continue at his official residence."

CJAR also said that in his TOI article, Justice Sabharwal did not answer the charge that he had specially called for and dealt with the Delhi sealing case in March 2005 "although it was not assigned to him."

The judicial accountability body drew attention to the fact that former Supreme Court judges such as Krishna Iyer, P B Sawant and J S Verma had called for a thorough investigation into the charge that Justice Sabharwal was guilty of serious judicial misconduct and appeared to be prima facie guilty of offences under the Prevention of Corruption Act.

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