

**Order XX, Rule 1—Constitution of India, 1950, Article 226—Pre- judicial remarks against a person— Who is not party.**—A Judge is not to be guided by any kind of notion. The decision making process expects a Judge or an adjudicator to apply restraint, ostracise perceptual subjectivity, make one's emotions subservient to one's reasoning and think dispassionately. He is expected to be guided by the established norms of judicial process and decorum. A judgment may have rhetorics but the said rhetoric has to be dressed with reason and must be in accord with the legal principles. Otherwise a mere rhetoric, especially in a judgment, may likely to cause prejudice to a person and Courts are not expected to give any kind of prejudicial remarks against a person, especially so, when he is not a party before it. In that context, the rhetoric becomes sans reason, and without root. It is likely to blinden the thinking process. A Judge is required to remember that humility and respect for temperance and chastity of thought are at the bedrock of apposite expression.

[\[\*Om Prakash Choutala v. Kanwar Bhan\*, AIR 2014 SC 1220 : 2014 AIR SCW 972 : JT 2014 \(2\) SC 417 : 2014 \(5\) SCC 417 : 2014 \(1\) SCALE 742\].](#)