
(2020) 07 DEL CK 0034

In the Delhi High Court

Case No : Civil Writ Petition No. 3778 Of 2020, Civil Miscellaneous No. 13518, 13519 Of 2020

Sarthak Maggon

APPELLANT

Vs

Union Of India & Anr

RESPONDENT

Date of Decision : 07-07-2020

Acts Referred:

Citation : (2020) 07 DEL CK 0034

Hon'ble Judges : Dhirubhai Naranbhai Patel, CJ; Prateek Jalan, J

Bench : Division Bench

Advocate : Vikas Pahwa, Arvind Nayar, Vikas Mahajan, Jatin Puniyani, Satyakam

Final Decision : Disposed Of

Judgement

D.N. Patel, CJ

1. Proceedings of the matter have been conducted through video conferencing.

2. This Public Interest Litigation has been preferred with the following prayers:

â??A. Issue a writ of Mandamus quashing the order dated 25.03.2020 bearing no. F-10(3598848)/ CJ/Legal/2020/20016 being in direct

contravention to the rights of the prisoners for access to justice and legal representation enshrined under Art. 21 of the Constitution of

India.

B. Issue directions to the Respondents to put in place appropriate infrastructure for the registration through appointment of advocates for

the purpose of legal mulakat either telephonically or through video conference.

C. Direct the Respondents to formulate a Committee under the aegis of Respondent No.2 and Respondent No. 3 to consider the suggestions

of the Petitioner and formulate an electronic platform for streamlining the legal mulakat process as well as the process for meeting with friends, family etc and to ensure adequate access to justice.

D. Pass any other writ/order/direction as this Honâ??ble Court may deem necessary in the administration of justice.â??

3. Having heard the counsel for both the sides and looking to the facts and circumstances of the case, it appears that now the respondents have issued

a Circular dated 06.07.2020, whereby video conferencing facility has been extended to all the prisoners. The Circular dated 06.07.2020 points out in

detail about the following:

â?¢ Slots available for the video conferencing.

â?¢ The timing of the video conferencing, i.e. 30 minutes, maximum of two times a week.

â?¢ Applications received through private counsels are being considered by Jail Superintendents.

â?¢ The legal interviews can be held in the presence of Jail Superintendents, however, the Jail Superintendents will be out of hearing range. Thus, the

privileged conversation between the counsel/advocate and the jail inmates will be maintained.

â?¢ Link for video conferencing will be sent via email through which advocate can establish link for video conferencing.

4. Looking to the provisions of the Circular dated 06.07.2020, at this stage, we are not inclined to give any further directions to the Respondents.

Nonetheless, the suggestions given by the petitioner today will also be considered by the Respondents in future if any amendment is required in the

aforesaid Circular dated 06.07.2020 for making the same more user-friendly.

5. With these observations, this writ petition is disposed of, granting liberty to the petitioner to move this Court again in case of any difficulty.