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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 10169/2017 and CM No. 41521/2017**

MUKUL ROY

..... Petitioner

Through: Mr Arvind K. Nigam, Senior
Advocate with Mr Dushyant Singh,
Mr Mikhil Sharda, Mr Mohit Singh
and Mr Hari Shankar Mahapatra,
Advocates.

versus

UNION OF INDIA ORS

..... Respondents

Through: Mr Amit Mahajan, CGSC with Mr
Madhav Chitale, Advocates R-1 & 2.
Mr D.C. Mathur, Senior Advocate
with Mr Raja Chatterjee, Mr Piyush
Sachdev, Mr Adeel Ahmed and Ms
Runa Bhuyan, Advocates for R-3, 8
and 9.
Mr Saket Sikri and Mr Jasbir Bidhuri,
Advocates for R-4/MTNL.
Mr Neeraj Chaudhari, Ms Saakshi
Agrawal, Mr Arindam Dey,
Advocates with Mr Mohan Thapa,
AR of Company, for R-5.
Mr Kirtiman Singh, Mr Prateek
Dhanda, Mr Waize Ali Noor and Mr
Momin Khan, Advocates for R-7.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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13.12.2017

1. The counter affidavits filed on behalf of respondent nos. 3, 8 & 9, respondent no.1 and respondent no.4 have been filed in sealed covers, which

were opened and read.

2. It has been unequivocally affirmed on behalf of respondent nos. 3,8 and 9 that at no point of time, any directions were issued to respondent nos.4 and 5 to intercept or tap the mobile connections for any of the mobile numbers stated by the petitioner in paragraph 7. The respondents have also annexed the letters addressed by the Director General and the Inspector General of Police, West Bengal informing the Additional Secretary, Home and Hill Affairs Department, Government of West Bengal that none of the four telephone numbers in question have been “*put under interception*”.

3. Similar letters have also been addressed by the Office of the Commissioner of Police, Kolkata and the Criminal Investigation Department, Kolkata. It has also been affirmed in the present petition that the apprehensions of the petitioner are unfounded.

4. In view of the unequivocal statement made on behalf of respondent nos. 3, 8 and 9, this Court finds no reason to not accept that the mobile numbers of the petitioner are not being monitored.

5. Needless to mention that the petitioner is at liberty to apply in the event the petitioner is able to garner any evidence to substantiate his apprehensions.

6. The petition is, accordingly, dismissed.

VIBHU BAKHRU, J

DECEMBER 13, 2017
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