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

+ **W.P.(C) 11840/2018**

JOGINDER KUMAR SUKHIJA Petitioner
Through: Petitioner in person

versus

UNION OF INDIA AND ANR. Respondents
Through: Mr. Anil Soni, CGSC with Mr. Sushil
Kumar Pandey (GP), Ms. Neha Sharma &
Ms. Priyanka Singh, Advs.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **31.10.2018**

C.M.No.45844/2018 (exemption)

Allowed, subject to all just exceptions.

W.P.(C) 11840/2018 & CM APPL.45843/2018 (direction)

1. The petitioner has filed this public interest litigation and the reliefs claimed in the writ petition read as under:-

“(i) Issue a writ in the nature of certiorari or any other appropriate writ/direction/order thereby directing respondents to take suo moto notice of matters relating to sexual harassment or sexual assault appearing on public domain under “THE ME TOO MOVEMENT” and investigate same in accordance with law.

(ii) Any other relief which this Hon’ble Court may deem fit and proper in the circumstances of the case may also be granted in favour of the Petitioner and against the Respondents.”

2. Petitioner prays for a direction to be issued to the respondents to take *suo moto* notice of matters relating to sexual harassment or sexual assault appearing in the public domain under 'The Me Too Movement', investigate each case in accordance with law and thereafter proceed to take action. In support of the contentions advanced, petitioner places reliance on a report published by a consulting agency with regard to sexual harassment at work place. It is a survey report published by Prabhat Books and it is a general survey report with regard to the issue in question which does not deal with any specific case or illegality or irregularity in the matter with reference to any specific instance of harassment of the nature complained of.

3. A direction to investigate or look into the allegations of the nature complained of in the writ petition can be issued if no action is taken by the respondents in cases specified with details available. A general direction to conduct fishing or roving enquiry, thereafter identify cases of harassment and proceed in accordance with law cannot be issued in a proceeding of the nature prayed for in this public interest litigation. The petitioner may bring to the notice of the authorities concerned specific instances of harassment or allegation as are canvassed before us and we are confident that respondent No.2 shall look into such specific case as and when brought to their notice.

4. In the facts and circumstances of the case and taking note of the material available on record and the general prayer made, which is nothing but a fishing or roving enquiry to be conducted by respondent No.2, we are not inclined to accede to the same and direct a *suo moto* notice into the matter as prayed for.

5. With the aforesaid liberties to the petitioner, the petition along with the pending application stands dismissed.

CHIEF JUSTICE

V. KAMESWAR RAO, J

OCTOBER 31, 2018
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