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

% *Date of Decision: 07.07.2020*

+ W.P.(C) 3778/2020, CM Nos.13518-19/2020

SARTHAK MAGGON

..... Petitioner

Through: Mr. Vikas Pahwa, Sr. Advocate with
Mr. Arvind Nayar, Adv. along with the petitioner

versus

UNION OF INDIA & ANR.

..... Respondents

Through: Mr. Vikas Mahajan, CGSC with
Mr. Jatin Puniyani, GP for R1
Mr. Satyakam, ASC for R2 to R6

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE PRATEEK JALAN

JUDGMENT

: **D.N. PATEL, Chief Justice (Oral)**

1. Proceedings of the matter have been conducted through video conferencing.
2. This Public Interest Litigation has been preferred with the following prayers:

“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 Hon'ble Court may deem necessary in the administration of justice."

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:

- Slots available for the video conferencing.
- The timing of the video conferencing, i.e. 30 minutes, maximum of two times a week.
- Applications received through private counsels are being considered by Jail Superintendents.
- 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.

- 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.

CHIEF JUSTICE

PRATEEK JALAN, J

JULY 07, 2020
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