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

+ W.P.(C) 16046/2025

NARESH KUMAR

.....Petitioner

Through: Mr. Naresh Kumar, Adv. (Petitioner
in person.)

versus

THE OFFICE OF JUDGE IN-CHARGE DELHI MEDIATION
CENTRE TIS HAZARI COURTS, DELHI

.....Respondent

Through: Mr. Sameer Vashisht, SC (Civil)
GNCTD with Ms. Harshita Nathrani,
Adv.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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06.11.2025

1. This hearing has been done through hybrid mode.
2. The present petition has been received by way of transfer.

CM APPL. 68569/2025(petitioner's request to argue in-person)

3. The present application under Section 151 of the CPC has been filed on behalf of the petitioner/applicant seeking the following prayers: -

“In view of the above, it is most respectfully prayed that this Hon'ble Court may be please to allow the humble Petitioner to present his case in-person and pass any other order as may be deemed fit and proper in the facts and circumstances of the case.”

4. In view of the averments made in the application, the same is allowed and disposed of accordingly.
5. The petitioner is allowed to present his case in-person.



W.P.(C) 16046/2025

6. The present petition under Article 226 of the Constitution of India, 1950 seeks the following prayers: -

“1. Revising the list of selected advocates by adopting an objective and transparent criteria, and, assigning appropriate weightage to the relevant qualifications, experience and aptitude of applicant advocates;

2. Considering the particulars of the Petitioner on objective and transparent criteria as above, and, if found suitable, including his name in the list of selected 100 advocates for the 40 hours training in mediation;

3. Any other order as may be deemed fit and proper in the facts and circumstances of the petition.”

7. The petitioner, who is an advocate, in pursuance of the notice dated 13.08.2024 issued by Office of Judge-in-Charge, Delhi Mediation Centre, Tis Hazari Courts, Delhi, had applied for 40 hours training programme on ‘Concept and Techniques of Mediation’ for the period October-November, 2024.

8. It is the case of the petitioner that he was eligible as per prescribed criteria provided in the aforesaid notice dated 13.08.2024 and accordingly, he submitted his application on 27.08.2024 with his bio-data and other requisite documents.

9. It is matter of record that *vide* notice dated 19.04.2025, Office of Judge-in-Charge, Delhi Mediation Centre, Tis Hazari Courts, Delhi, informed that the Interaction Committee had been constituted by this Court which would interact with the eligible shortlisted candidates and the name of the petitioner was placed in the said list.



10. The petitioner, who appears in-person, submits that he had appeared before the Interaction Committee at 02:00 P.M. on 17.07.2025 and answered the queries posed to him. The petitioner draws the attention of this Court to the following averments made in the present petition: -

“E. The Petitioner appeared before the Interaction Committee at 2.00PM on 17th July. 2025, and. answered the queries posed to him. The Petitioner also informed the Interaction Committee about his strong professional background in the disciplines of law (LL.B; Master of Business Law, Fellow Member of the ICSI) M.A Economics, M.A in Social Work-Counselling, M.A in Psychology-Counselling) and 29 years' practice as in High Court, National Law Tribunal, National/State Consumer Disputes Resolution Commissions, District Courts and Arbitration Tribunals. He also briefed the Interaction Committee about his counselling experience in the Supreme Court and District Court. The Chairman appreciated the professional background of the Petitioner.

F. That the DMC has subsequently issued Notice dated 19th September, 2025, with the names of 100 advocates selected by the Interaction Committee for the 40 hours training programme, in which the name of the Petitioner was not included. A true copy of the Notice dated 19th September, 2025 with the names of 100 advocates issued by the DMC is enclosed as **ANNEXURE-P/5**.

G. That the Petitioner, being aggrieved with the non-inclusion his name in the list of 100 advocates selected advocates by the Interaction Committee of the DMC for the 40 hours training programme, promptly sent letter dated 06th October, 2025 by Speed Post and e-mail to the Hon'ble Chairman and Ld. Judge-in-Charge, DMC, but there is no response. True copies of the letter and e-mail dated 06th October, 2025 to the Ld. Judge-in-Charge, DMC, are collectively enclosed as **ANNEXURE-P/6**.

GROUND

a. That the entire selection process adopted by the Interaction



Committee of DMC is arbitrary and in violation of Article 14 (Equality before law) and 16 (Equality of opportunity in public selection). In fact, both the selection criteria and the process of preparing the list of 100 advocates is totally arbitrary and lacks judicial propriety and transparency.

c. That the non-inclusion of the name of the Petitioner in the list of selected advocates is questionable by ignoring his strong academic background in the disciplines of law (LL.B; MBL, FCS); social work-counselling [MA Social Work (Counselling)], psychology-counselling [M.A. Psychology (Counselling)], 29 years' practice as advocate (in the High Court of Delhi, National Company Law Tribunal, National/State Consumer Disputes Resolution Commissions, District Courts and Arbitration Tribunals) and aptitude for mediation/counselling. It is clarified that 'mediation includes 'conciliation' under section 2(h) of the Mediation Act, 2023. In case an objective criterion is adopted, it is improbable that all the selected 100 advocates possess better qualification and experience than the Petitioner."

11. The petitioner further relies upon a decision of a Coordinate Bench of this Court in **Mr. Umesh Gupta v. Registrar General Delhi High Court & Anr., 2023: DHC: 001541**, in support of the present petition.

12. *Per contra*, learned Standing Counsel appearing on behalf of the respondent, who appears on an advance notice, has placed on record comments received from the Office of Judge-in-charge, Delhi Mediation Centre, Delhi wherein, it has been recorded as under: -

"G& Grounds in para 4(a) to (c)

The grievance of the petitioner is misplaced and mis-conceived. Due diligence and care was taken by the Committee members and Chairperson to select 100 Advocates for mediation training. Any attempt to term this process as that for a regular government job is uncalled for. Rather than the number of degrees and/ or Certificates



possessed and relied upon by a candidate, the Committee was focused on the aspect Whether or not concerned candidate possessed skills to become a good Mediator. The only objective of Committee was to select candidates possessing necessary qualities of empathy, dedication, humbleness and patience to hear the parties so that they could be assisted in reaching amicable settlement of their disputes. All the candidates were uni-formally ad-judged by the Committee. Since the Committee comprised of three persons including the Chairperson, there was no possibility of any arbitrariness or lack of judicial propriety or transparency. The interpretation of Sec. 2 (h) of Mediation Act, 2023 by the petitioner is apparently incorrect.”

13. Heard and perused the records.

14. It is pertinent to note that *vide* notice dated 19.04.2025, it was informed to the applicants that interaction of the eligible candidates would be held by Interaction Committee, which has been constituted by Delhi High Court and the process for selection by way of interaction was well within the knowledge of the petitioner. It is a matter of record that the screening committee had shortlisted 1017 candidates for interaction, who were found eligible based on the eligibility criteria provided in notice dated 13.08.2024 and the said interaction was done by the Interaction Committee, comprising of the Chairperson, *i.e.*, Judge, In-charge of Tis Hazari Courts and two members. The process of selection by way of interaction was uniformly applied by the board to all candidates who were found eligible. Reliance by the petitioner on the decision of a Coordinate Bench in **Mr. Umesh Gupta (*supra*)** is misplaced, as in the said petition, the petitioner therein had challenged the fixation of qualification of minimum eligibility requirement of ‘Net Declared Professional Income’ in the Government for the purpose of undertaking 40-hour training on the ‘*Concept and Technique of Mediation*’. It is pertinent to note that the said petition was filed while the selection process was underway, and therefore, in the circumstances of the said



case, the learned Coordinate Bench had directed that the case of the petitioner therein, be placed before the Overseeing Committee and that the said petitioner would abide by the decision of the said committee. However, in the present case, the petitioner has challenged the result of the selection process. The qualification of the petitioner, as pointed out by him, made him eligible for being shortlisted for the selection, however, the same would not give a vested right to be selected for the programme.

15. It is also noted that the petitioner in prayer (1) and also, in representation to the Registrar General of this Court *vide* communication/letter dated 06.10.2025 had challenged the process of interaction as a criteria for final selection to be subjective and thus, not transparent. In the considered opinion of this Court, the petitioner after having chosen to appear for the interaction for the purpose of selection in the programme cannot now take a plea that said interaction was not the correct criteria for selection from the list of eligible candidates/applicants.

16. In view of the above, this Court finds no merit in the present petition and the same is therefore, dismissed and disposed of accordingly.

17 Pending applications, if any, also stand disposed of accordingly.

18. Order be uploaded on the website of this Court *forthwith*.

AMIT SHARMA, J

NOVEMBER 06, 2025/nk/ns