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

+ W.P. (C) 3478/2020

SHALINI SINGH

..... Petitioner

Through Mr. Ravi Kumar, Advocate

versus

UNITED INDIA INSURANCE CO. LTD. & ORS.

..... Respondents

Through: Mr. Vineet Malhotra, Advocate for R-1-3  
Mr. Harish V. Shankar, Advocate for R-4

**CORAM:**

**HON'BLE MS. JUSTICE JYOTI SINGH**

**ORDER**

% **04.08.2020**

Hearing has been conducted through Video Conferencing.

**CM APPL. 17633/2020**

This application has been filed seeking exemption from filing attested affidavits. Application is disposed of with a direction to the Applicant to file the same within 72 hours from the date of resumption of regular functioning of the Court.

**CM APPL. 17632/2020**

This is an application filed by the Petitioner seeking directions to the Respondent Nos.1 to 3 for video recording of the Interviews which are scheduled between 05.08.2020 to 07.08.2020 for promotion from Scale II to Scale III.



Mr. Ravi Kumar Learned Counsel for the Petitioner submits that video recording is necessary as he fears that the Interview of the Petitioner may not be fair as the Senior Officers of Respondent No.1 nurture a bias against the Petitioner on account of various petitions that she has filed in this Court as well as complaints filed by her alleging corruption by certain officers of the Company.

Learned Counsel further submits that the marks of the written examination have already been placed deliberately by Respondents in the public domain and the interviews which are to be held are even otherwise not going to be fair and transparent. He further submits that certain information was sought on an earlier occasion through the RTI seeking the criteria for interview but in response Respondent Nos.1 to 3 declined to disclose the criteria for the Interviews.

It is further submitted that Respondent No.1 has been directed by this Court in W.P.(C) 11298/2019 to file Status Report on the charges of corruption, criminal misconduct and disciplinary inquiry against the senior officers of Respondent No.1.

Mr. Ravi Kumar vehemently argues that on two earlier occasions, Respondent Nos.1 to 3 have recommended the Petitioner for the post of Branch Manager on the basis of Interviews dated 05.03.2018 and 25.09.2018, but failed her in the third Interviews held on 04.07.2019, on account of her exposing the corrupt practices some of the senior officers of Respondent No.1.

Mr. Ravi Kumar also relies on a judgement of Division Bench of the High Court of Punjab & Haryana in **Anu Radha v. State of Haryana and others** decided on 01.07.2009, wherein according to him the Court has



passed directions for video recording of the interviews.

Mr. Vineet Malhotra Learned Counsel for Respondent Nos. 1 to 3 and Mr. Harish Vaidyanath Shankar Learned counsel for Respondent No. 4, who appear on advance copy, vehemently oppose the prayer made in this Application.

Mr. Vineet Malhotra submits that the Interview is being held by three senior officers of Respondent No.1 and there is no reason why the Petitioner should harbour a feeling that the process will not be transparent and fair. He submits that this Court, by an order dated 21.07.2020, had allayed the fears of the Petitioner and she is sufficiently protected by the said order. He further submits that the Circulars have been issued from time to time by Respondent No.1 with clear instructions to the candidates not to indulge in any video recording etc. and any such direction by the Court for recording of the interview would set a dangerous precedent for the future, in matters of selection through Interviews. Mr. Malhotra also submits that records of the Interview are always preserved and will be preserved in this case also.

I have heard Learned Counsels for the parties.

In my view, the relief sought by the Petitioner cannot be granted. On 21.07.2020, the Court has recorded the submission of Learned Counsel for Respondent Nos.1 to 3 regarding the measures to be taken during the interviews and this, in my view, sufficiently protects the Petitioner. The results of the interviews have been made subject to the outcome of the petition and it will be open to the Petitioner to address arguments and raise various issues at the time of hearing.

There is no reason for the Court to direct Respondent Nos.1 to 3 to record the proceedings of the interviews. Mr. Malhotra is right in his



submission that this could set a dangerous precedent encouraging candidates to seek orders for video recording of the interviews they are proposing to participate in. No doubt, in a very exceptional case a Court may be compelled to pass such a direction but that can only be in extraordinary circumstances and only as an exception and not as a rule. The facts of the present case do not persuade this Court to pass a direction to Respondent Nos.1 to 3 to carry out a video recording of the proceedings of the interview.

As far as the judgement of High Court of Punjab & Haryana is concerned, suffice would it be to notice that in the said case Selection was purely on the basis of the marks of Interviews, which is not the case in the present Petition. Even otherwise, the operative directions in the Judgement do not mandate the Respondent therein to make a video recording of the proceedings, and all that the Court has directed is to maintain proper records of the Interviews i.e. all questions and answers will be maintained in the appropriate form and video recording is only one of the suggested modes of preserving the records.

Since in this case, Mr. Malhotra makes a statement before this Court that the records of the Interviews would be preserved, no further directions are required in this application and the same is accordingly dismissed.

**JYOTI SINGH, J**

**AUGUST 04, 2020**  
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