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

+ **CM APPL. 64505/2024 in**
W.P.(C) 3514/2019

MRS. SHALINI SINGH

.....Petitioner

Through: Mr. Ravi Kumar, Advocate

versus

UNITED INDIA INSURANCE COMPANY LIMITED AND ORS.

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

04.11.2024

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[Physical Hearing/Hybrid Hearing (as per request)]

CM APPL. 64505/2024 (direction)

1. The petitioner has filed this application, seeking directions to respondent no.1 to alter portfolio of respondent no.5 from GM (HR). I have heard the counsel for petitioner for some time.
2. The counsel for petitioner is not permitting me to dictate this order and continues interrupting. As such, the order shall be passed in chamber.
3. At request of counsel for petitioner, it is made clear that this application is not being dismissed today, but since he continues interrupting, further dictation has to be in the chamber.
4. Even after this dictation, learned counsel continues to interrupt the proceedings despite being warned that such conduct of interfering in court proceedings is tantamount to contempt. I feel constrained to contemplate



appropriate action. Therefore, opportunity is granted to learned counsel for petitioner to address on the next date as to why contempt proceedings be not initiated against him. Rest of the order shall be dictated inside the chamber.

GIRISH KATHPALIA, J

NOVEMBER 4, 2024/rk

5. This order is being passed now in Chamber in continuation of order dictated in the court room today in pre lunch session.

6. The application CM APPL. 64505/2024 was listed today for preliminary hearing and I posed certain questions to learned counsel for petitioner. The prayer clause of the said application is extracted below:

“(i) Direct respondent-1 to alter portfolio of respondent-5, from present GM (HR) portfolio, restraining her direct final control over documentary evidence repository, appointment, promotion, posting & transfers, or case files & documents, CDA, or legal counsels, till adjudication of her role for both malafide and corruption in present case and connected FIR No. 27 / 20 (PS Pandav Nagar, Delhi) respectively”

7. The prayer clause of the main writ petition is extracted below:

“(i) Quash and set aside the impugned order dated 05.11.2018 of respondent no. 2 posting respondent no. 3 to office of Petitioner,

(ii) Direct removal of Respondent No. 3 from the post of reporting authority of Petitioner and Office of Petitioner,

(iii) Prohibit respondent no. 2 & respondent no. 3 from preparing or reviewing the performance report /grading (APAR) of Petitioner,

(iv) Direct the respondents to henceforth declare the posts of office-in-charges in order of merit in public interest,

(v) Direct the award of costs of this petition with compensation



for mental agony and harassment,

(vi) Direct respondent no. 1 to initiate inquiry into the false complaints made against the petitioner,

(vii) Pass such other directions as necessary to meet the ends of justice.”

8. Learned counsel for petitioner was called upon to address as to whether the relief sought in the application under consideration can be treated as an interim relief, despite the same *prima facie* being in the nature of substantial relief, which could be sought by way of separate proceedings subject to his *locus standi*.

9. Another query put to learned counsel for petitioner related to the contents of the application under consideration, especially paragraph 3 (vi & vii) thereof. Learned counsel was called upon to address as to the source of information qua contents of the said paragraphs and relevance thereof in the present proceedings. More specifically, learned counsel for petitioner was called upon to address as to why the allegation about the respondents having paid over Rs. 2 crores to counsel opposing the petitioner be not treated as scandalous and irrelevant.

10. Instead of responding to the said queries, learned counsel for petitioner created the scene described in pre lunch order to the extent that I had to stop dictation and defer further dictation in the Chamber.

11. On the above aspects, the counsel for petitioner is granted opportunity to address further arguments on 09.01.2025 as already fixed.

GIRISH KATHPALIA, J

NOVEMBER 4, 2024/ry