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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION (L) NO. 2215 OF 2022
IN
SUIT NO. 142 OF 2021**

Forum Against Oppression of Women ...Applicant
In the matter between
P ...Plaintiff
Versus
A & Ors ...Defendants

**Ms Indira Jaising, Senior Advocate, with Vijay Hiremath, i/b
Swaraj Jadhav, for Intervenor/Applicant.**
**Dr Birendra Saraf, Senior Advocate, with Rohan Dakshini, Shweta
Jaydev, Supriya Lopes and Urvi Gupte, i/b Rashmikant &
Partners, for Defendants Nos. 1 and 2.**
Ms Lancy D'Souza, i/b UM Parkar, for Defendant No.3.

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**CORAM: G.S. PATEL, J
DATED: 17th March 2022**

PC:-

1. The Interim Application is filed by a group, The Forum Against Oppression of Women. This is an application under Order 1 Rule 8-A read with Section 151 of the Code of Civil Procedure 1908 (“CPC”).

2. It seeks impleadment in the Suit, which is between private parties. It seeks this because of my order of 24th September 2021. This was an order that issued certain directions regarding the further progress in the matter, covering aspects of confidentiality etc. The Interim Application proceeds on the basis that the directions on that day in the Suit were general directions governing all matters under the POSH Act and Rules.

3. That is an incorrect impression.

4. It is true that it remained to be specifically noted in that order of 24th September 2021 that the order was indeed not only restricted to this particular Suit, but was by consent of both sides and was based on signed written submissions presented by the Advocate for the Plaintiff, Ms Abha Singh, and Dr Saraf for Defendants Nos. 1 and 2.

5. The directions had to be confined to this particular case. They could not possibly have had any larger or wider applicability for the simple reason that any such Rules of general applicability would have to be approved by the Full Court. A delegation of the authority of the Full Court would have to be in a manner known to law. A Single Judge hearing a particular matter within his rostered assignment has no authority or jurisdiction to issue any rules binding the entire Court. It is only the Full Court or the Hon'ble the Chief Justice which or who can do that. Very possibly, such Rules might even have been required to be notified in the official gazette. None of this was in contemplation at any time on 24th September 2021.

6. I addressed some of these inadvertent lapses in the subsequent order of 11th October 2021 where, in paragraphs 3 and 4 I said:

“3. Second, the Court Associate points out that the suggestions by Ms Abha Singh for the Plaintiff and Dr Saraf for Defendants Nos. 1 and 2 were tendered on 24th September 2021 remained to be noted in the order of 24th September 2021 and to be formally taken on record. Ms Singh’s signed submissions are retained on record and marked “X1”. I am marking them with the date of 24th September 2021 since that is the date when they were taken on record. Similarly, Dr Saraf’s submission for Defendants Nos. 1 and 2 are marked “X2” for identification with date of 24th September 2021.

4. It is also clarified that while the consent order of 24th September 2021 presently governs further proceedings in this matter according to the agreed protocol, parties are always at liberty to apply, should the need arise or if there is a change in circumstances.”

7. Ms Jaising agrees that this sufficiently addresses her clients’ concerns in the Interim Application. She therefore does not press the Application. It is disposed of in these terms. I have taken the liberty of orally pointing out the submissions made by Ms Abha Singh under her signature including the submissions for masking names, in camera hearings and protecting privacy.

8. It is clarified that this order is required to be uploaded, although with the names of the parties anonymised.

9. The papers had to be unsealed for this order. They will be sealed again.

(G. S. PATEL, J)