

News

Delhi High Court to interact with Celina Jaitly's detained brother in UAE; asks MEA to explore options



Meanwhile, the Court today restrained Celina Jaitly and other parties from interacting with the media regarding the case.

In the case of Celina Jaitly v. Union of India, the Delhi High Court today requested that the Ministry of External Affairs (MEA) enable communication via video conference with Celina Jaitly's brother, Vikrant Jaitly, who is presently being held in the United Arab Emirates (UAE).

Justice Purushaindra Kumar Kaurav observed that the Court's direct interaction with Vikrant

Jaitly was necessary to ascertain his stand on Celina Jaitly's plea related to his detention.

“Interaction with Vikrant Jaitly is necessary to ascertain if he requires assistance from his wife or his sister. In order to fully appreciate the controversy involved here, it would be appropriate to interact with Vikrant. Ms. Raman [Central Government counsel] is requested to facilitate a court interaction through VC,” the Court stated.

In this regard, Justice Kaurav asked the Central Government Standing Counsel Nidhi Raman to take instructions from the MEA.

“I myself want to interact with him. Citizens’ interest, life and liberty is of utmost importance, forget about locus of wife or sister. As an Indian citizen he will be provided whatever legal assistance in Dubai. Let the Government of India to facilitate. You receive instruction. We are not forcing you. If it is possible for the wife to hold interaction with him then why cannot it be made available to the Court?,” the judge asked.

Vikrant Kumar Jaitly has been detained in the UAE for over a year. He has been on a UN peacekeeping assignment in Lebanon and in the Indian Army.

As per Celina Jaitly's petition, Major Jaitly was working with a consultancy firm in the UAE when he was abducted from a mall in the presence of his wife.

Upon being informed about the abduction, Celina Jaitly lodged a complaint on the Union government's 'MADAD Portal' (Online Consular Services Management System).

Alleging that no update was provided on filing the complaint, she moved the Court. She also claimed that she had made unsuccessful attempts to contact the Indian Consulate in Dubai and the Embassy in the United Arab Emirates.

On behalf of Celina Jaitly, Senior Advocate Sanjay Jain argued today that Vikrant's wife was against a law firm being assigned to represent him in the United Arab Emirates. He further stated that Vikrant's wife was not a party to the case and was acting contrary to her brother's interest.

“I have to approach the Court since the wife did not take any action. I am here not in the capacity of a sister but in the capacity of a fellow citizen. He needs to get legal

counsel and leave. It is government's responsibility under Vienna Convention and not the wife or sister," the senior counsel submitted.

It seems like Justice Kaurav agreed.

"I will not authorize any firm in the United Arab Emirates to assess this," the wife said.
"That cannot be the wife's submission," the court declared.

Vikrant Jaitly's wife also entered appearance through her counsel and stated that MEA was providing all assistance to her and that she has been in touch with Vikrant. She also claimed that Vikrant had asked her not to engage the firm in question.

Further, her counsel also sought a direction to restrain Celina from speaking with the media. The Court then passed an order restraining the parties from speaking with the media.

"In order to maintain the sanctity of the matter, they shall not interact with the media without court permission," the Court directed.

On February 12, the case will be heard again.

Besides Senior Advocate Sanjay Jain, advocates Raghav Kacker, Ribhav Pande, Madhav Agarwal and Aayush Shukla appeared for Celina Jaitly.

Central Government Standing Counsel Nidhi Raman and Government Pleader Arnav Mittal with advocate Akash Mishra appeared for the MEA.