

IN THE HIGH COURT OF DELHI AT NEW DELHI

Copy of order

No. 15763-W DHC/WRITS/D-4/2024
Dated 16/07/24 NDOH : D/o

From

The Registrar General
Delhi High Court
New Delhi

To

1. Delhi High Court through Registrar General,
Delhi High Court, Sher Shah Road,
New Delhi – 110503 Phone : 01123387989,
E mail delhihighCourt@hub.nic.in
2. Delhi District Court through Principal District &
Sessions Judge HQ .
District Courts Tis Hazari Complex , Bhiku Ram Jain
Marg - Rajpur Rd, Block BGS, Kamla Nehru Ridge,
Civil Lines, Delhi - 110054
Phone: 9873946706, E Mail : djhqs-ddc@delhi.gov.in



CIVIL MISC. APPLICATION NO. 35779/2024

&

WRIT PETITION (C) NO. 8781/2024

CA RAKESH KUMAR GUPTA

....Petitioner/S

Vs.

Delhi High Court through Registrar General
and others

....Respondent/S

Sir/Madam,

I am directed to forward herewith a copy of order dated **09.07.2024** passed by **Hon'ble Mr. Justice Sanjeev Narula** of this Court in the above noted case along with a copy of memo of parties for information and immediate compliance/necessary action.

Please acknowledge receipt.

Yours faithfully,

Sanjeev Narula
15-07-2024

AOJ (Writs)
for Registrar General

15.07.2024

yes

W.P.(C)-8781/2024

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IN THE HIGH COURT OF DELHI AT NEW DELHI

Ordinary Original Jurisdiction

Civil Writ Petition No / 2024

In the matter of

CA Rakesh Kumar Gupta Petitioner

Vs Respondent Delhi High Court through Registrar General
and others

Writ petition under article 226 of the constitution of India
Writ of Mandamus –

By this writ, Petitioner Request

Writ of Mandamus – Kindly advised Respondents (a) to Conduct District Court proceeding from soft records for cases -under Compulsory E filing, (b) to Conduct District Court proceeding from soft records for cases -paper form filed cases (now under Compulsory E filing) by scanning the records, (c) To provide new services E inspection and true copy immediately of compulsory e files cases, (d) To provide new services E inspection and true copy gradually increase scope to paper filed cases (after scanning of records) , (e) To relieve litigants (cases under Compulsory E filing) from obligation of filing papers records as per E filing Rules, more as per CW Para 14

Memo of parties

Petitioner

CA RAKESH KUMAR GUPTA

CA Rakesh Kumar Gupta

Flat Number 702, Block B1A Pocket 1,

Samridhi Apartment , Sector 18B Dwarka New Delhi-110078,

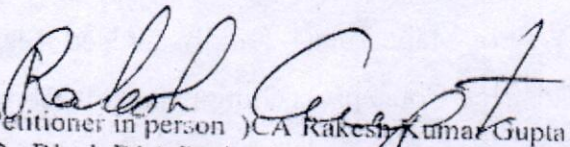
PHONE: 98110-79436. 9868179436 .

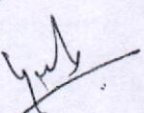
E Mail: snehcs5@gmail.com, snehcs@yahoo.com

Respondents

- 1 Delhi High Court through Registrar General,
Delhi High Court, Sher Shah Road,
New Delhi – 110503 Phone : 01123387989,
E mail delhihighCourt@hub.nic.in
- 2 Delhi District Court through Principal District &
Sessions Judge HQ .
District Courts Tis Hazari Complex , Bhiku Ram Jain
Marg - Rajpur Rd, Block BGS, Kamla Nehru Ridge,
Civil Lines, Delhi - 110054
Phone: 9873946706, E Mail : djhqs-ddc@delhi.gov.in

DATE May 28, 2024
PLACE: DELHI


(Petitioner in person)CA Rakesh Kumar Gupta
Flat Number 702, Block B1A Pocket 1, Samrichi Apartment ,
Sector 18B Dwarka New Delhi-110078,
PHONE: 98110-79436. 9868179436 .
E Mail: snehcs5@gmail.com, snehcs@yahoo.com

TRUE COPY




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

+ W.P.(C) 8781/2024, CM APPL. 35779/2024

CA RAKESH KUMAR GUPTA

.....Petitioner

Through: In person.

versus

DELHI HIGH COURT THROUGH REGISTRAR GENERAL &
ANR.Respondents

Through: Ms. Beenashaw Soni, SC, DHC, with
Ms. Mansi Jain and Ms. Ann Joseph,
Advocates for R-1.
Mr. Anupam Srivastava, SC, GNCTD
with Mr. Vasuh Misra, Mr. Apurva
Bhatt and Ms. Diksha Barror,
Advocates for R-2.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
09.07.2024

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1. With respect to the prayers sought in the present petition, the Respondents have handed over their response across the board and the same is taken on record. The response is summarised in a tabulation which makes it convenient to understand the scope of the present petition and the position in law, which is in force at present. The same is as follows:

S. No.	Prayer made in the petition	Response
a.	To conduct district court proceeding from soft records for cases - under <u>Compulsory E-</u>	The compulsory e-filing is already notified in all the following jurisdictions <i>vide</i> Notification

	filing	No.12/Rules/DHC dated 22.02.2022
b.	To conduct district court proceeding from soft records for cases - paper form filed cases (now under Compulsory E-filing) by scanning the records.	<p>(Flag-1):-</p> <p>i. All suits and Applications relating to Commercial disputes under the Commercial Courts Act, 2015.</p> <p>ii. Complaints under section 138 of the Negotiable Instruments Act, 1881.</p> <p>iii. All Appeals and Revisions.</p> <p>Later on, vide Notification No. 19/Rules/DHC dated 14.03.2024;</p> <p>(Flag-2) following category of cases have been notified: -</p> <p>i. All cases of Civil Jurisdiction (including Family Court cases)</p> <p>ii. All Criminal Complaint cases.</p> <p>Digital Court Application provided by the Hon'ble eCommittee, Supreme Court of India is provided to all the Judicial Officers in all the District Courts. The said Desktop Application provides the facility to digitally access the e-Filed cases and also dictate orders using "Speech to Text" features. Training has been already imparted to all the Judicial Officers in this regard.</p>
c.	To provide new services E-inspection and true copy immediately of compulsory e-files cases.	Vide Minutes of the Meeting dated 07.11.2023, Hon'ble the Information Technology Committee of this Court has already issued directions to the Delhi District Courts to Implement the e-True Copy mechanism. The development of the software is under progress.
d.	To provide new services E-inspection and true copy gradually increase scope to paper filed cases (after scanning of records).	
f.	To provide E-inspection and true	The implementation of e-Inspection



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	copy from E mail request also and gradually increase scope till the process in district court systems started/stabilised to provide these new services.	software is pending consideration before Hon'ble the Information Technology Committee of this Court. Two Developers have been also provided to the Delhi District Courts under the Phase-III of e-Courts Project for development of software including the aforesaid software.
e.	To relieve litigants (cases under Compulsory E filing) from obligation of filing papers records as per E filing Rules.	Rule 10 of the eFiling Rules of the High Court of Delhi, 2021 already mandates that the original records has to be retained by the eFiler and is not required to be filed unless otherwise is directed by the court.
g.	To provide status of cases/case Class proceeding through soft records Public on respective court website.	The public may access the case status of any case from website ecourts.gov.in .
h.	To provide status of scanning of paper records Public on respective Court website.	The digitization is already going on in Delhi District Courts. Hon'ble the Information Technology Committee of this Court, vide Minutes of the Meetifig dated 11.09.2023 has already approved the request received from the Delhi District Courts for scanning 50 crore pages. The tender process was initiated but due to technical reasons the tender was scrapped. It has been informed by Ld. Chairman (I.T. & Digitization), Delhi District Courts that fresh tender process will be initiated on priority.
i.	Kindly request Respondent No. 1 to provide full support to district Courts, so that wastage (due to working of E filed cases	As apparent from the aforesaid, Hon'ble the Information Technology Committee of this Court is continuously monitoring the progress

	on paper records) are stopped in District Court.	of various projects in the High Court of Delhi and necessary ICT assistance is also being provided to the Delhi District Courts under e-Courts Project.
j.	Kindly request to decide Petitioner request/suggestions.	No comments
k.	Kindly advise administrative side of Hon'ble Court to take such appropriate actions, as the Hon'ble Court deems fit under the circumstance.	No comments

2. As is evident from the above tabulation, all the reliefs sought in the present petition have already been well provided for in the notifications and the rules issued by the Delhi High Court. A full mechanism for implementation of the e-inspection software and digitisation of the records of the Delhi District Courts has been provided for in the said notifications and rules. It has also been pointed out that for digitization of the records, the necessary approval has already been granted in terms of the Delhi District Courts' request for scanning of 50 crores pages of the 'existing records. For this purpose, a tender process was initiated, however, the same could not be completed due to technical reasons. This has led to the scrapping of the old tender and the fresh tender shall now be issued in due course.

3. It is also pointed out by counsel for Respondents, that appropriate directions have been issued to the Delhi District Courts for implementation of the 'e-true copy' mechanism and the development of the necessary software is under progress. For this purpose, two developers have also been provided to the Delhi District Courts under phase III of e-courts project, for development of necessary software including the aforementioned software.



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Furthermore, the implementation of e-inspection software is presently pending consideration of the Information Technology Committee of this Court. It is therefore expected that the same shall be completed in due course.

4. In light of the above, in the opinion of the Court, since all the reliefs sought in the present petition are adequately addressed with the relevant provisions in place, no further directions are required to be issued. It is noted that the implementation of the said provisions is a monumental task and appropriate measures are already being taken by the relevant authorities to undertake the same.

5. Accordingly, the writ petition, along with all pending application(s), is disposed of.

JULY 9, 2024

nk



sd/-
SANJEEV NARULA, J

Most Urgent/Out at once

OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE (HQ): DELHI

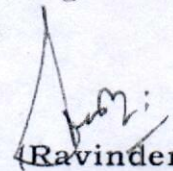
No. 41868-41988 Genl./HCS/2024

Dated, Delhi the 23 July 2024

Sub : Circulation of Order dated 09.07.2024 in Civil Misc. Application No. 35779/2024 & Writ Petition (C) No. 8781/2024.

A copy of the letter no. 15763-W/DHC/Writs/D-4/2024 dated 16.07.2024 bearing this office diary no. **1673 dated 19.07.2024** along with copy of order dated 09.07.2024 passed by Hon'ble Mr. Justice Sanjeev Narula in the abovesaid matter is being circulated for information and immediate compliance/necessary action to :-

1. All the Judicial Officers posted in Central District, Tis Hazari Courts, Delhi.
2. The Ld. OIC, Digitization, IT (Cell) and eFiling Section of Central District, Tis Hazari Courts, Delhi for further course of action in the matter.
3. The Ld. Registrar General, Hon'ble High Court of Delhi, New Delhi for information.
4. PS to the Ld. Principal District & Sessions Judge (HQs), Tis Hazari Courts, Delhi for information.
5. The Chairman, Website Committee, Tis Hazari Courts, Delhi with the request to direct the concerned official to upload the same on the Website of Delhi District Courts.
6. The Director (Academics), Delhi Judicial Academy, Dwarka, New Delhi for information as requested vide letter no.DJA/Dir.(Acd)/2019/4306 dated 06.08.2019.
7. Dealing Assistant, R&I Branch for uploading the same on LAYERS.
8. For uploading the same on Centralized Website through LAYERS.


(Ravinder Bedi)

Officer-in Charge, Genl. Branch, (C)
District Judge, (Comm. Court)
Tis Hazari Courts, Delhi

Encls. As above