



2024:DHC:3179-DB



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

+ **W.P.(C) 6082/2019**

**KARAN S THUKRAL**

..... Petitioner

Through: Petitioner in person with Ms. Vaishnavi,  
Advocate

Versus

**THE DISTRICT & SESSIONS JUDGE & ORS** ..... Respondents

Through: Mrs. Avnish Ahlawat, Standing counsel  
(GNCTD), Services and DSJ with Ms.  
Tania Ahlawat, Mr. Nitesh Kumar  
Singh, Ms. Laavanya Kaushik, Ms.  
Aliza Alam and Mr. Mohnish Sehrawat,  
Advocate  
Ms. Shubham Mahajan, Advocate for R-  
12 (RGDHC)

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Date of Decision: 22<sup>nd</sup> April, 2024.

**HON'BLE THE ACTING CHIEF JUSTICE**  
**HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA**

**JUDGMENT**

**MANMOHAN, ACJ: (ORAL)**

1. Vide order dated 04<sup>th</sup> January, 2024, this Court had issued various directions. The learned Registrar General was also directed to file a compliance report.



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2. A compliance report dated 12<sup>th</sup> February, 2024 has been filed by the Registrar General. Ms. Shubham Mahajan, learned counsel for the High Court states that after filing of the report dated 12<sup>th</sup> February, 2024 some further developments have taken place and requests to take on record a fresh report prepared by the Registrar General. The new report is taken on record. The relevant portion of the new report is reproduced hereinbelow:-

	<i>Directions Issued</i>	<i>Compliance Report</i>
8(a)	<i>Centralised Filing System be implemented in all the District Courts in terms of order dated 17th August, 2023 passed in the present petition.</i>	<i>Implemented</i>
8 (b)	<i>Mandatory e-filing of pleadings, documents and interim applications shall be adhered to in the jurisdictions already notified vide notification no.12/Rules/DHC dated 22nd February, 2022 under e-filing Rules of the High Court of Delhi, 2021.</i>	<i>Implemented</i>
8 (c)	<i>The Registrar General is directed to initiate steps for extending mandatory e-filing in all remaining Civil Jurisdictions and Criminal complaint cases in District Courts, as per the e-filing Rules of the High Court of Delhi, 2021.</i>	<i>Implemented.</i> <i>In continuation of Delhi High Court's earlier Notification No. 12/Rules/DHC dated 22.02.2022, the High Court of Delhi Vide Notification 19/Rules/DHC dated 14.03.2024 has notified that with effect from 01.04.2024 the "e-Filing Rules of the High Court of Delhi, 2021" shall also apply to all cases of Civil Jurisdiction (including Family Court cases) as well as all Criminal Complaint cases in all the District Courts in Delhi.</i>



8 (d)	<p><i>Digitization, in a dedicated manner, be started in record rooms of all District Courts so as to digitize the record of decided cases. Necessary ICT infrastructure and manpower shall be provided to the record rooms by the concerned Principal District &amp; Sessions Judge</i></p>	<ul style="list-style-type: none"><li>i. <i>Digitization of record in record room is being carried in each district.</i></li><li>ii. <i>724 number of scanners have been procured in e-Courts phase III by the High court and supplied to the district court for augmenting the scanning infrastructure in the record rooms.</i></li><li>iii. <i>The record is being digitized in descending manner from latest to old. All files decided during 2022 have been already digitized. The record pertaining to the year 2021 is under progress.</i></li><li>iv. <i>The tender for digitization of 50 Crore pages is under process and the financial bid has already been opened.</i></li></ul>
8 (e)	<p><i>Rules Branch of this Court is directed to expedite the process of amending rules as directed in case of Tarif Singh (supra) so that the record (except documents required to be preserved permanently) may be weeded out upon digitization in District Courts within five (5) weeks.</i></p>	<p><i>Amendment (s) have been already carried out in the Delhi High Court Rules in as much as insertion of Rule 1A, 1B &amp; 1C after Rules 1 of Part F (A) titled "General" of the Chapter 16 of volume IV of the Delhi High Court Rules and Orders for the purpose of destruction of records and retention of the same in electronic form.</i></p> <p><i>The aforesaid amendment (s) required prior approval of the Lt. Governor of NCT of Delhi under section 3 of the Destruction of the Records of the Act, 1917.</i></p> <p><i>The approval from GNCCTD is already received. The rules have been sent to translation branch for translation. Upon translation the amendments will be notified.</i></p>
8 (f)	<p><i>As directed in the case of Tarif Singh (supra), the category of petty cases which do not require digitization and category of cases which need to be prioritized for digitization, be chalked out on priority by Principal District &amp; Sessions Judge (HQ) in consultation with other Principal District &amp; Sessions Judges within two (2) weeks.</i></p>	<p><i>Committee Headed by Ms. Nivedita Anil Sharma, Principal Judge, Family Courts, North Rohini has already submitted its report and the category of petty cases is finalised and approved by the then Pr. District &amp; Sessions Judge (HQ).</i></p>



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8 (g)	<i>Criterion for cases of historical importance be finalised on priority by Principal District &amp; Sessions Judge (HQ) in consultation with other Principal District &amp; Sessions Judges within two (2) weeks</i>	<i>A committee headed by Sh. Virender Kumar Bansal, LD. Principal District &amp; Sessions Judge has already submitted its report regarding the criterion of cases of historical importance.</i>																											
8 (h)	<i>h. Upon finalisation of criterion in respect of petty cases and cases of historical importance, the process to weed out files which are ready for weeding be initiated preferably within three (3) weeks in all District Courts.</i>	<p><b>Quarterly report from January to March, 2024 is reproduced below:</b></p> <table><thead><tr><th><i>District</i></th><th><i>Files Identified for weeding out</i></th><th><i>Files Weeded out (Judicial files/ Traffic Challan/ Mediation Files)</i></th></tr></thead><tbody><tr><td><i>Central &amp; West</i></td><td><i>15,092</i></td><td><i>12,669</i></td></tr><tr><td><i>North &amp; North West</i></td><td><i>6,154</i></td><td><i>2,803</i></td></tr><tr><td><i>South &amp; South East</i></td><td><i>11,011</i></td><td><i>4,739</i></td></tr><tr><td><i>South West</i></td><td><i>1,37,047</i></td><td><i>21,620</i></td></tr><tr><td><i>New Delhi</i></td><td><i>3,600</i></td><td><i>0</i></td></tr><tr><td><i>East, North East &amp; Shahdra</i></td><td><i>18,608</i></td><td><i>10,346</i></td></tr><tr><td><i>RACC</i></td><td><i>0</i></td><td><i>0</i></td></tr><tr><td><b><i>Total</i></b></td><td><b><i>1,91,512</i></b></td><td><b><i>52,167</i></b></td></tr></tbody></table>	<i>District</i>	<i>Files Identified for weeding out</i>	<i>Files Weeded out (Judicial files/ Traffic Challan/ Mediation Files)</i>	<i>Central &amp; West</i>	<i>15,092</i>	<i>12,669</i>	<i>North &amp; North West</i>	<i>6,154</i>	<i>2,803</i>	<i>South &amp; South East</i>	<i>11,011</i>	<i>4,739</i>	<i>South West</i>	<i>1,37,047</i>	<i>21,620</i>	<i>New Delhi</i>	<i>3,600</i>	<i>0</i>	<i>East, North East &amp; Shahdra</i>	<i>18,608</i>	<i>10,346</i>	<i>RACC</i>	<i>0</i>	<i>0</i>	<b><i>Total</i></b>	<b><i>1,91,512</i></b>	<b><i>52,167</i></b>
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8 (i)	<i>A committee to supervise weeding out of record in all districts be constituted in all District Courts</i>	<i>Committee to supervise the weeding out of record has been constituted in all district courts.</i>																											
8 (j)	<i>Steps taken to ensure availability of certifies copies</i>	<i>Directions have been issued in all district to ensure that certified copy be made available irrespective of consignment of files to record room.</i>																											

3. Ms. Shubham Mahajan, learned counsel for the High Court submits that the grievance raised by the Petitioner regarding the centralized filing of interim applications and their registration already stands addressed, as the centralized filing system has been implemented in all the District Courts. She further states that mandatory e-filing has been extended to all Civil Courts (including Family Courts) and criminal complaint cases in the District Courts from 01<sup>st</sup> April,



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2024 and consequently, the Advocates and parties are required to file all interim applications and documents through the e-filing portal alone wherein every e-filing gets registered.

4. In respect of the weeding out of the record, it is stated that the necessary amendments have been already carried out, criterion for petty cases and cases for historical importance have been decided, committees to monitor weeding out have been constituted in each District Court and around 52,000 files have already been weeded out.

5. However, this Court cannot lose sight of the fact that the situation in record rooms of the District Courts is grim and the process of weeding out of the record needs to be carried out expeditiously and monitored on regular basis. Accordingly, the Principal District and Sessions Judges of all Districts of District Courts in Delhi are directed to monitor the progress of weeding out of cases in their respective districts and take effective steps in this regard.

6. The Principal District & Sessions Judges of all the District Courts are directed to file quarterly reports in this Court. With the aforesaid direction, the present writ petition stands disposed of.

7. List the matter for compliance on 02<sup>nd</sup> September, 2024.

**ACTING CHIEF JUSTICE**

**MANMEET PRITAM SINGH ARORA, J**

**APRIL 22, 2024/msh**