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

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+ W.P.(C) 476/2023 & CM APPL. 1866/2023

JITENDER KUMAR

..... Petitioner

Through: Mr. Sanjeev Bhandari, Advocate
(*Amicus Curiae*).
Mr. Sanjeet K. Trivedi and Mr.
Hemant Gupta, Advocates for
petitioner.

versus

PUNJAB NATIONAL BANK & ANR.

..... Respondents

Through: Mr. Santosh Kumar Rout, Mr.
Abhishek Chakraborty and Mr.
Pawan Kumar Dhiman, Advocates for
PNB.
Mr. Mohinder Singh and Mr. Ankur
Goel, Advocates for LIC.
Mr. R.Y. Kalia, Advocate for
respondent.
Ms. Nidhi Raman, CGSC with Mr.
Zubin Singh and Mr. Akash Mishra,
Advocates for UOI.

2

+ W.P.(C) 1474/2023 & CM APPL. 5535/2023

KOTAK MAHINDRA BANK LIMITED

..... Petitioner

Through: Mr. Ravi Gupta, Sr. Advocate with
Ms. Sanya Lamba and Mr. Sachin
Jain, Advocates.

versus

MR.BHAVINDERSINGH KHURANA & ANR. Respondents

Through: Mr. Gagan Chhabra , Advocate.

15

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W.P.(C) 14316/2022 & CM APPL. 43727/2022

INDU KAPOOR

..... Petitioner

Through: Mr. Sanjeev Bhandari, Advocate
(*Amicus Curiae*).
Mr. Gaurav Srivastava and Ms.
Namrata Parashar, Advocates.

versus

AU SMALL FINANCE BANK & ANR.

..... Respondents

Through: Mr. Vishnu, Advocate for Mr.
Samvendra Kumar, Advocate for AU
Small Finance Bank.
Mr. Kirtiman Singh, CGSC along
with Ms. Vidhi Jain, Advocate for
UOI

17

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W.P.(C) 1532/2023 & CM APPL. 5815/2023

KOTAK MAHINDRA BANK LIMITED

..... Petitioner

Through: Mr. Ravi Gupta, Sr. Advocate with
Ms. Sanya Lamba and Mr. Sachin
Jain, Advocates.

versus

BHAVINDER SINGH KHURANA & ANR.

..... Respondents

Through: Mr. Gagan Chhabra , Advocate.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

HON'BLE MR. JUSTICE SUDHIR KUMAR JAIN

O R D E R

% 05.04.2023

The hearing has been conducted through hybrid mode (physical and virtual hearing).

1. The learned *Amicus Curiae* submits that work apropos Second Phase, as mentioned in the order dated 16.02.2023, has been completed. Work apropos Third Phase is underway. It is likely to be completed within the time schedule given by the Department of Financial Services, Ministry of Finance (R-3). He further informs the court that the DRT Presiding Officers are using the rooms of Recovery Officers as their retiring rooms/chambers, during the recess hours. However, in case the Recovery Officer's rooms are occupied, then they have no place to go to for rest or a break. The facilities for Presiding Officers and the Registrars are inadequate which need to be looked into urgently. Mr. Kirtiman Singh, the learned CGSC submits that the matter shall be given prompt attention and an endeavour would be made to put remedial measures in place within ten days. Let it be so done.
2. The learned *Amicus Curiae* also submits that files of pending cases as well as disposed-off cases occupy a lot of space in the DRT, therefore, some lasting solution needs to be found immediately. Let the Administrative Ministry file an affidavit before the next date apropos efforts put in place for digitization of records as well as for

operationalizing of the current e-filing facility. After all it is now an accepted norm that digitization of records is the way forward for freeing-up precious office space. Also utility of filing of physical copies would be examined, when e-filing of petitions has been permitted and/or operationalized at the DRTs.

3. Of the three DRTs in Delhi, only two are functional currently. Now one more Presiding Officer is stated to have put in his papers because of his appointment in another Tribunal. This would leave only one functional DRT with the pendency of over 17,000 cases of all DRTs. The frequent vacancy arising in the DRT is an issue which needs consideration by R-3 and practical solution has to be found at the earliest. The learned *Amicus Curiae* submits that frequent vacancy is possibly because of the disproportionate remuneration offered to the DRT Presiding Officers vis-a-vis the other Tribunals.
4. The learned *Amicus Curiae* seeks to submit a note in this regard. Let the same be filed before the next date. A copy of the same be supplied to Mr. Kirtiman Singh, the learned CGSC for R-3, for him to obtain instructions.
5. Re-notify on 19.04.2023.

NAJMI WAZIRI, J

SUDHIR KUMAR JAIN, J

APRIL 5, 2023

SS