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

+ W.P.(C) 7379/2019 & CMs.APPL 24723-24725/2020

MRS. JAMNA DATWANI Petitioner
Through Mr. Deepak Khosla, Advocate

versus

DELHI HIGH COURT & ORS. Respondents
Through Mr. Ankit Jain, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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20.10.2020

HEARD THROUGH VIDEO CONFERENCING

1. The present petition has been filed by the petitioner impleading the Delhi High Court as the respondent No.1, National Company Law Appellate Tribunal as the respondent No.2, National Company Law Tribunal as the respondent No.3, Bar Council of India as the respondent No.4, Bar Council of Delhi as the respondent No.5, Delhi High Court Bar Association as the respondent No.6, Delhi Bar Association as the respondent No.7 and the National Lawyers Action Forum as the respondent No.8 praying *inter alia* for striking down and quashing the Office order dated 28.08.2020, issued by the Registrar General, High Court of Delhi whereunder, it has been stated that “*it is directed that w.e.f. 01.09.2020, all filing shall be accompanied with the requisite court fee as well as the affidavit duly attested by the Oath Commissioner and cases which are not accompanied with the court fee and attested affidavit shall be returned under objection*”.

2. At the outset, we may note that the relief in the present petition is directed against the Office order dated 28.08.2020, which governs filing in the Delhi High Court and no Office orders issued by the respondents No.2 and 3 have been placed on record for this court to examine the same or intervene. We, therefore, do not propose to permit the petitioner to expand the scope of the present petition beyond the relief sought in respect of the Office order dated 28.08.2020.

3. Mr. Khosla, learned counsel for the petitioner states that the petitioner is a senior citizen aged 82 years and though she is a permanent resident of Delhi, presently she is residing at a Senior Citizen's Home at Jalandhar, Punjab. She has several litigations that are pending in various courts in Delhi, including the Delhi High Court, details whereof has been mentioned in para 13 and in view of the Office order dated 28.08.2020, applications/petitions etc. moved by her are not listed in court by the Registry. Rather, they are returned with office objections on the ground that the supporting affidavit has not been attested. Learned counsel explains that due to the ongoing pandemic, the petitioner is in self quarantine to protect herself at her advance age and besides that, she has no one in Delhi who can be authorized to swear an affidavit on her behalf and hence, the present petition.

4. We are of the opinion that the Office Order dated 28.08.2020 does not warrant any interference as the same has been issued after the situation has considerably normalized on Un-lockdown orders issued by the Central Government and State Government, from time to time. Therefore, exemption from depositing the court fees and attesting affidavits as granted earlier, has been done away with for valid reasons. We therefore decline to

pass a blanket order as prayed for. However, in view of the facts of the present case which learned counsel for the petitioner has pointed out as above, liberty is granted to the petitioner to explain her peculiar facts and circumstances in the exemption application that may be moved by her alongwith the petitions/applications etc. proposed to be filed in court with an undertaking that compliance of the Office order dated 28.08.2020 shall be made within a given time. The said exemption applications shall be considered and appropriate orders passed thereon, on a case to case basis.

5. The petition is disposed of along with the pending applications.

HIMA KOHLI, J

SUBRAMONIUM PRASAD, J

OCTOBER 20, 2020

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