

IN THE HIGH COURT OF DELHI AT NEW DELHI
(EXTRAORDINARY ORIGINAL WRIT JURISDICTION)

Writ Petition (Civil) No. _____ of 2021

IN THE MATTER OF A PUBLIC INTEREST LITIGATION

AND

IN THE MATTER OF:

Sanser Pal Singh ... Petitioner

Versus

Union of India & Anr. ... Respondents

PUBLIC INTEREST LITIGATION UNDER ARTICLES 226 OF THE CONSTITUTION OF INDIA IN THE NATURE OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT/DIRECTION/ORDERS TO THE RESPONDENTS TO IMPLEMENT THE DIRECTIONS PASSED BY THIS HON'BLE COURT AND HON'BLE SUPREME COURT IN REGARD TO UPLOADING OF DAILY ORDERS IN DUE TIME AND TO TAKE APPROPRIATE ACTION AGAINST THE ERRING COURT OFFICIALS/STAFF IN CASE OF DEFAULT.

MEMO OF PARTIES

SANSER PAL SINGH
S/O LATE SH. BALJOR SINGH
R/O 1ST FLOOR, D-4,
SUNVIEW APARTMENT,
BURARI, DELHI-110084

... PETITIONER

VERSUS

1. UNION OF INDIA
MINISTRY OF LAW & JUSTICE
THROUGH ITS SECRETARY
4TH FLOOR, A-WING, SHASTRI BHAWAN
NEW DELHI-110001

2. GOVERNMENT OF NATIONAL CAPITAL
TERRITORY OF DELHI
THROUGH ITS CHIEF SECRETARY
DELHI SECRETARIAT,
IP ESTATE, NEW DELHI -110 002

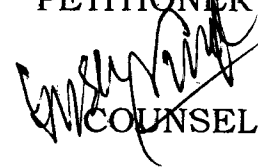

....RESPONDENT

DELHI

DATED: 05/02/2021

THROUGH


PETITIONER


COUNSEL 

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LIST OF DATES AND EVENTS

28.10.2010	That the Hon'ble Registrar (J-III), Hon'ble Supreme Court of India issued office order no. F.34/Judl./2010
05.08.2015	That the Hon'ble District & Session Judge (HQs), Tis Hazari Courts, Delhi issued circular no. 22418-22568/THC/2015
21.10.2019	That the Hon'ble District & Session Judge (HQs), Tis Hazari Courts, Delhi issued circular no. 58336-58476/CIS/Comp./2019
25.11.2019	That the Hon'ble Registrar General, Hon'ble Delhi High Court issued circular no. 1457/IT/DHC
31.07.2020	That the Hon'ble Joint Registrar IT & Sty.), Hon'ble Delhi High Court issued circular no. 699/IT/DHC
24.12.2019 To 05.12.2020	That the petitioner filed various applications under Right to Information Act 2005

20.10.2020	That the petitioner filed written complaints to various District & Session Judges of Delhi Courts including Hon'ble District & Session Judge (HQs), Tis Hazari Courts, Delhi but no effective action has been taken till date
	Hence this petition

DELHI

DATED: 05/02/2021

THROUGH

Sansy
PETITIONER

Yogesh Swroop
COUNSEL *Y.S.*

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To

Hon'ble the Chief Justice and his other Companion Judges,
Delhi High Court, New Delhi.

MOST RESPECTFULLY SHOWETH:-

By way of present Public Interest Litigation, the

petitioner seeks issuance of appropriate writ/Direction/Orders to take appropriate action directing the respondents to implement the directions passed by this Hon'ble Court and Hon'ble Supreme Court in regard to uploading of daily orders in due time and to take appropriate action against the erring court officers/staff in case of default.

1. That though the petitioner has personal interest being a practicing advocate and concerned with the justice delivery system, however the petition has been filed in the interest of justice delivery system which is in the interest of public at large and there is no motive other than of public interest in the writ petition
2. That the source of knowledge are as under:
 - a) The office order no. F.34/Judl./2010 dated 28.10.2010 passed by Hon'ble Registrar (j-III), Hon'ble Supreme court.

- b) The circular no. 1457/IT/DHC dated 25.11.2019 passed by Hon'ble Registrar General, Hon'ble Delhi High Court.
 - c) The circular no. 699/IT/DHC dated 31.07.2020 passed by Hon'ble Joint Registrar (IT & Sty.), Hon'ble Delhi High Court.
 - d) The circular no. 22418-22568/THC/2015 dated 05.08.2015 issued by Hon'ble District & Session Judge (HQs), Delhi.
 - e) The circular no. 58336-58476/CIS/Comp./2019 dated 21.10.2019 issued by Hon'ble District & Session Judge (HQs), Delhi.
 - f) Various replies furnished by various public information officers against applications moved by petitioner under Right to Information Act 2005.
3. That the present petition is being filed for the benefit of the lawyers, litigants and the public at large.
4. That to the best of knowledge of the petitioner, no other persons/bodies/institutions, except the respondents and court staff/officials accountable to upload order sheets of hon'ble courts on

portal/website of courts, is likely to be affected by the orders sought in the present writ petition and if another person/bodies/institution shall be deemed to be affected, he shall be impleaded as respondents and to the knowledge of the petitioner no other personnel/bodies/institutions are likely to be affected by the orders sought in the writ petition.

5. That the petitioner is an Advocate enrolled with Bar Council of Delhi having enrollment no. D/67/2008 and the petitioner have means to pay the costs, if any, imposed by this Hon'ble Court.
6. That the petitioner approached various hon'ble district judges including DJ (HQs), Tis Hazari Courts but no action has been taken by any authority so far to resolve the grievances of petitioner. The copies of complaints addressed to various hon'ble district judges including DJ (HQs), are placed herewith this petition as **ANNEXURE P-2 (Colly)**.
7. That the respondents are being the part of Government functionary / machinery themselves and covered within the definition of State as per Article 12

of Constitution of India and accordingly amenable to writ jurisdiction of this Hon'ble High Court.

8. That the respondents are governing, appointing and disciplinary authority of the court staff/officials, who are accountable and duty bound to upload order sheets of hon'ble courts on portal/website of courts as well as salary to these court staff/officials is paid by respondents.

BRIEF FACTS OF THE CASE:-

- A. That the petitioner is an advocate practicing in Hon'ble Delhi District Courts, Hon'ble Delhi High Court and various courts in Uttar Pradesh.
- B. That the petitioner is, like most of other advocates and litigants, aggrieved due to non-uploading of order sheet courts on the online portal/website of Hon'ble courts and therefore the petitioner has to inspect court files to read the court orders which consumes a lot of time of petitioner as well as of the hon'ble courts and court staff, papers and court fee also.
- C. That printouts of case information of some cases of petitioner and of some other advocates, in which all

order sheet of hon'ble courts are not uploaded, are annexed herewith the instant petition as **ANNEXURE-P-1**.

- D. That the petitioner, being aggrieved with the reason mentioned above, filed written complaints dated 20.10.2020 to various Hon'ble District Judges including DJ (HQs) and sent its copy to Hon'ble Supreme Court and Hon'ble Delhi High Court. The copies of said complaints alongwith postal receipt are annexed herewith as **ANNEXURE-P-2 (Colly)**.
- E. That there are various circulars and office orders passed by Hon'ble Registrar of Hon'ble Supreme Court, Hon'ble Registrar General and Hon'ble Registrar (IT) of Delhi High Court and Hon'ble District & Session Judge (HQs) from time to time in reference of uploading the court orders on online portal/website of courts.
- F. That the direction in the form of Office order dated 28.10.2010 of the Supreme Court of India in which it was directed as under:-

- 1) Upon pronouncement of any judgment/order in CAV matter, the same should be uploaded at the earliest and in any case within 48 hours of signing of judgment by Hon'ble Judges of the Court concerned.
- 2) AR-cum-PS should send the Pen Drive with finalized judgment to Court Master concerned on day fixed for pronouncement of the judgment, the Court Master(s) will ensure that is at the time of pronouncement and signing of the Judgment/Order, there is any correction, the same is carried out also in the soft copy of the judgment/order before uploading the same. Court Master(s) shall also intimate such correction(s) to AR-cum-PSs at Residential Office(s) of the concerned Hon'ble Judges for correction in records maintained at Residential Office(s).

The above directions be complied with by all concerned strictly.

The copy of said Office order dated 28.10.2010 has been annexed herewith as **ANNEXURE-P-3**.

- G. That this Hon'ble Court has issued a circular dated 25.11.2019, in furtherance of various directions (as

mentioned in the said circular) showing concern about the non-uploading of the judgments/orders on the website of the court , causing inconvenience to the lawyers, litigants and public at large. The circular dated 25.11.2019 is annexed herewith this petition as **ANNEXURE-P-4.**

H. That this Hon'ble Court has also issued a circular dated 31.07.2020, in the form of direction to the concerned officers, showing concern about the uploading of the judgments/orders on the website of the court. The circular dated 31.07.2020 is annexed herewith as **ANNEXURE-P-5.**

I. That the Hon'ble District & Session Judge (HQs), Delhi, Tis Hazari Courts has issued two circulars dated 05.08.2015 and 21.10.2019, in furtherance of various directions as mentioned in the said circular) showing concern about the non-uploading of the judgments/orders on the website of the court , causing inconvenience to the lawyers, litigants and public at large. The copies of circulars mentioned above are annexed as **ANNEXURE-P-6 & P-7.**

- J. That the petitioner filed various applications before Public Information Officers of Hon'ble Supreme Court, Hon'ble Delhi High and Hon'ble District & Session Judge (HQs). Copies of same are annexed herewith as **ANNEXURE-P-8 (Colly.)**.
- K. That though the petitioner has personal interest being a practicing advocate and concerned with the justice delivery system, however the petition has been filed in the interest of justice delivery system which is in the interest of public at large. The such deliberate act of non-compliance of the above said office orders/circulars or negligence causing inconvenience to the lawyers, litigants and public at large.
9. That the petitioners wants the indulgence of this Hon'ble court in the matter on following amongst other grounds:-

GROUND S

- I. Because the petitioner in the capacity of an advocate, is counsel of litigants in various court

cases and is aggrieved due to non-uploading of order sheets of various hon'ble courts on online portal/website of hon'ble courts.

II. Because the petitioner not only has to waste his time but money also to inspect the court files by visiting courts to study the daily orders as the daily orders are not uploaded regularly on the online portal/website of courts.

III. Because the precious time of Hon'ble courts is also gets waste when the petitioner visits the courts to inspect the court files.

IV. Because the petitioner made written complaint dated 20.10.2020 addressed various District Judges including Hon'ble District & Session Judge (HQs) but no effective action has been taken.

10. That no similar petition is pending against respondents/erring police officers before the Hon'ble Delhi High Court or any other court of law.

PRAYER:-

In view of the facts and circumstances, it is therefore, respectfully prayed that this Hon'ble Court may please to:-

- a) Issue a writ in the nature of Mandamus or any other appropriate writ/direction/order to the respondents to comply with the directions contained in Annexure-3 to 7 to upload the Daily Order Sheets within prescribed time limit; and
- b) Issue necessary guidelines in this regards; and/or
- c) Pass any other or further order as this Hon'ble Court may deem fit and just, in the facts and circumstances of the case, in the interest of justice.

DELHI


PETITIONER

DATED: 05/02/2021

THROUGH


(Yogesh Swaroop & Kapil Kishor Kaushik)

En. No. D/1024/1993, D/1498/2016

Counsels for Petitioner

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