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\* IN THE HIGH COURT OF DELHI AT NEW DELHI  
+ W.P.(C) 2018/2021

ANIL KUMAR HAJELAY & ORS. .... Petitioners  
Through Mr. Atul Nagarajan with Mr. Anant  
Kumar Hajelay, Mr. Devendra  
Verma, Ms. Shreya Arneja and  
Mr. Rajat Gautam, Advocates  
(M: 9910985431)

versus

HONBLE HIGH COURT OF DELHI ..... Respondent  
Through Mr. Saurabh Bannerjee, Advocate

**CORAM:**  
**JUSTICE PRATHIBA M. SINGH**

**ORDER**  
% **16.02.2021**

1. This hearing has been done through video conferencing.

**CM APPL 5897/2021 (for exemption)**

2. Allowed, subject to all just exceptions. Application is disposed of.

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3. The Petitioners in the present case are practising lawyers who are all Senior citizens. The prayer in the petition is that the Subordinate Courts and Quasi Judicial bodies in Delhi ought to be directed to hold hybrid hearings, even when they hold physical hearings, as there are several counsels who suffer from co-morbidities and are unable to appear before the Court due to the threat of the Covid-19 pandemic.

4. The submission of Mr. Atul Nagarajan, ld. counsel, appearing for the Petitioners is that there are a number of Courts who are only doing VC hearings. However, with the issuance of the Administrative Order dated 14<sup>th</sup>

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January, 2021, Subordinate Courts were to sit physically on alternate days. After the issuance of the said notification by this Court, some of the Subordinate Courts are even holding hybrid hearings, which is convenient to the Senior members of the Bar. However, on physical dates, a number of Courts are not holding hearings due to various reasons, including lack of infrastructure, bad internet connectivity and also due to the fact that several lawyers are not appearing in the Courts. Some Courts are passing adverse orders as well. In fact, Petitioner No.1 submits that in one of his cases, the right to file evidence was closed during the physical hearing when he could not appear in the matter.

5. Mr. Saurabh Bannerjee, Id. counsel appears for the Delhi High Court and submits that several Judicial Officers are adapting to the new scheme and are holding physical/virtual Court but lawyers do have difficulties as the network and internet facility in the Court premises is not available.

6. Before passing any orders in this matter, this Court is of the opinion that it is necessary to call for a status report as to the manner in which Subordinate Courts are currently functioning and if the necessary infrastructure is available for them to hold hybrid hearings.

7. Accordingly, the worthy Registrar General of this Court is directed to obtain detailed status reports from each of the District & Sessions Judges, covering the following aspects:-

- (i) The manner in which hearings were conducted prior to 14<sup>th</sup> January, 2021;
- (ii) The availability of internet connectivity and devices to the Judicial Officers, both in Court premises as also their residences;

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(iii) Whether it is feasible to hold hybrid hearings and if so, if the necessary infrastructure in terms of broadband internet connectivity, computers/laptops with cameras etc., are available.

8. Status reports are directed to be filed on an urgent basis before the next date of hearing. All the status reports be collated by the worthy Registrar General and sent to the Court Master directly.

9. Considering the nature of the matter, the GNCTD is also directed to be impleaded as Respondent No.2 in the present case. Let the amended memo of parties be filed within one week.

10. Issue notice to Mr. Ramesh Singh, Standing Counsel (Civil), GNCTD.

11. Insofar as the Tribunals in respect of which prayers are sought, Mr. Nagarajan submits that he would file further details.

12. List on 26<sup>th</sup> February, 2021.

**PRATHIBA M. SINGH, J.**

**FEBRUARY 16, 2021/mw/t**

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