OFFICE OF THE DISTRICT & SESSIONS JUDGE, PATIALA HOUSE COURTS, NEW DELHI DISTRICT, NEW DELHI

ORDER

Pursuant to letter No. R-123/RG/DHC/2020 dated 30.04.2020 from the Registrar General, Hon'ble High Court of Delhi, New Delhi, whereby *inter alia* it was directed that (i) the hearing in the urgent matters listed in the Courts, as far as possible, be conducted through video conferencing only; and (ii) if video conferencing is not feasible in a given case, the norms of social distancing be strictly adhered to during Court-room hearings.

AND whereas the aforesaid order has been reiterated in the subsequent orders passed by the Hon'ble High Court of Delhi, New Delhi extending the suspension of regular work in the District Courts.

AND whereas pursuant to aforesaid directions, relevant Standard Operating Protocol or Procedures with regard to e-filing in civil and criminal matters as also hearing of matters through Video Conferencing has also been framed and circulated.

AND whereas it is experienced that it is not suited that the parties and/or counsels be contacted through the Staff of the Concerned Court for scheduling a hearing through Video Conference as it might lead to unwarranted or anomalous situations, therefore, the following standard operating protocols (SOPs) be observed :

1. The Courts may issue notices/summons to the parties and their respective counsels on the addresses including email addresses available on the judicial record enabling the parties and their counsels to appear on a scheduled date for hearing through Video Conferencing for addressing final arguments, or arguments on any application for interim relief, or for pronouncement of judgment/orders, as the case may be, in conformity with the Practice Directions contained in **Chapter I, Part-'B' & 'D' of the High Court Rules**; ***(Annexure-'A')***

2. The Courts may simultaneously provide that the parties and/or/counsels shall be at liberty to file written submissions instead of addressing oral arguments or appearing through video conferencing and such written submissions be filed within such time as may be prescribed/directed by the Court;

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3. In the aforesaid situation no. (1) or (2), the Court concerned shall fix a reasonable time limit for service of notice through officials of Nazarat Branch, New Delhi District, PHC, New Delhi, and such notice/summons shall be dealt with as follows:

(i) the Ahlmad/Asst Ahlmad shall specifically mention on the notice/summons that the parties and/or counsel shall appear for VC on the scheduled date given by the Court or else they shall be at liberty to file written submission within time specified by the Court;

(ii) the Ahlmad/Asst Ahlmad shall also indicate the landline/mobile contact and fax number, if any, of the parties and counsels on the notice/summons in a legible manner; and such notice/summons shall also indicate the dedicated email address of the court concerned;

(iii) the following note shall be appended on the e-generated notice/summons;

NOTE: You can send your consent to join for hearing through VC to dedicated e-mail address of the court, and on receiving such consent from both parties, the time besides meeting number and password of Cisco Webex shall be shared a day prior to the scheduled date. You may please download Cisco Webex on your mobile, laptop or desktop. The Cisco Webex is free of cost app.

(iv) Till such time the Courts are not equipped to send the notices/summons in electronic form with digital signatures, the Ahlmad/Asst Ahlmad while preparing the notice in physical form shall take all such steps which are required to avoid COVID-19 spread.

4. The Administrative Civil Judge, New Delhi in consultation with the District & Sessions Judge, New Delhi shall depute such number of experienced and competent Process Servers/officials of the Nazarat Branch, as may be deemed fit, for the purposes of executing the instructions for service of notices/summons.

5. Such Court notices/summons shall be executed through the Nazarat Branch, New Delhi District, PHC, New Delhi in the following manner:

i) if the notice/summons is received in electronic form from the Court, the Nazarat Branch in-charge shall download the digital notice from the email received and assign it to the Process Server or simply forward it to the email of

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the latter;

ii) If the notice/summons is issued by the court in physical form, the in-charge Nazarat Branch shall scan it to make it in digital form and then he shall assign it to the Process Server;

iii) Nazarat Branch In-charge shall maintain a proper record in digital form about every notice received and shall always give an assignment number to the notice;

iv) Additionally, the in-charge Nazarat Branch shall send the notice to the email address of the concerned person (either by using the email address as available on the notice or by using the email address provided by the Process Server as obtained by taking the steps enumerated in these instructions) and the manner for serving the notice through email shall such as has been prescribed in **Rule-16 & 17 of Delhi Courts Service of Processes by Courier, Fax and Electronic Mail Service, 2010**; ***(Annexure-'B')***

v) Once assigned with a notice to be served, Process Server shall take following steps according to the need:

(a) the Process Server shall contact the lawyer or the party with the use of official MTNL landline and he shall act in a courteous and businesslike manner while informing them about the notice/summons issued by the Court concerned;

(b) the Process Server shall inform them about the date of hearing in the matter through Video Conference and also discretion to file written submissions on dedicated email-ID of each Court;

(c) the Process Server shall make an entry in a register (digital or physical) of every call made through the official MTNL landline;

(d) If the notice contains only a landline number, the Process Server while contacting on the said landline number shall ask for mobile number and email of the concerned person so that notice can be served via WhatsApp/email;

(e) If the notice contains mobile number, the Process Server shall try to get email address;

(f) If the notice contains both the mobile number and email of the concerned person, he shall proceed with serving the notice in the manner prescribed herein;

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(g) In any case (either by obtaining the mobile number or by using the mobile number if given on the notice), the Process Server shall send the digital notice via WhatsApp;

(h) the Process Server shall use his/her private mobile for sending notice via WhatsApp till the time official mobile are provided;

(i) the Process Server shall also send details of notice in message form on WhatsApp in Format-'A' OR Format-'B' reflected in the appendix to these SOPs, as the case may be;

(j) the Process Server shall take screenshot of the WhatsApp screen showing the service of digital notice and sms version;

(k) After completing the formalities of contacting on the phone number or mobile number and sending the notice via WhatsApp, the Process Server shall write his report about the steps taken by him and the result thereof, either by hand or on computer if he has a digital signature;

(l) Thereafter, the in-charge Nazarat Branch shall authenticate the service either by hand or on computer if he has a digital signature. He shall also make his endorsement about sending the notice through email;

(m) If the report/authentication is hand written, the Nazarat Branch shall scan the same for making it in electronic version;

(n) Nazarat Branch then shall send the report to the concerned court via email on dedicated email address of the concerned court preferably two days prior to the date fixed for hearing or pronouncement as the case may be;

(o) Nazarat Branch shall send all the physical record to the concerned court in such manner which minimizes the risk of spread of corona;

(p) Any false report or assertion by the Process Servers or in-charge Nazarat Branch shall be subject to strict disciplinary action;

(q) Official MTNL numbers pertaining to New Delhi District Nazarat Branch shall be published on the official website of the district court to avoid any misinformation or mishandling of court processes;

6. The Court concerned on receiving the report from the Nazarat Branch,

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shall schedule VC through Cisco Webex in case consent is received from both/all the parties to the litigation and the Court Reader shall share the meeting time, number and password with the concerned parties/counsel a day prior to the scheduled hearing.

7. These practice directions shall come into force w.e.f. **16.07.2020** and shall remain in force till such time the regular work in the District Courts remain suspended.

[Dinesh Kumar Sharma]
District & Sessions Judge
Patiala House Court,
New Delhi District, New Delhi

No. 8572-855/D&SJ/NDD/2020 Dated: 16.07.2020

Copy forwarded for information & necessary action to:

1. All the Judicial Officers, PHC, NDD.
2. The Hony. Secretary, NDBA.
3. The District System Administrator, NDD to upload the same on the website of this District immediately.
4. Guard file.

[District & Sessions Judge]
Patiala House Court,
New Delhi District, New Delhi

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APPENDIX

FORMAT 'A'

"You are intimated that suit/petition bearing no..... titled.....shall be taken up for addressing final arguments/ arguments on interim application by the Court of Sh/Smt/Ms.....(name and court) and you are at liberty to appear through Video Conferencing for which consent may be sent to the Court concerned at least two days in advance on the dedicated email ID....., or else you shall be at liberty to file Written Submissions at least three days prior to scheduled date of hearing which be sent at such email address"

FORMAT 'B'

"You are intimated that suit/petition bearing no..... titled.....shall be taken up for pronouncement of judgment / orders .....(date and time)..... by the Court of Sh/Smt/Ms.....(name and court) and you are at liberty to appear through Video Conferencing for which consent may be sent to the Court concerned at least two days in advance on the dedicated email ID....."

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Annexure-'A'

CHAPTER 1

Practice in the Trial of Civil Suits

Part A
GENERAL

Court Hours, Holidays and Cause Lists

[1][1. **Court hours** – All Civil Courts in Delhi shall sit at the same hour on every day that is not a holiday for Civil Courts. The ordinary Court hours are from 10 A.M. to 4 P.M. with an interval for luncheon from 1.30 P.M. to 2.00 P.M. Saturdays shall be full working days for Courts and offices attached thereto but the second Saturday of each month may be observed as a close day. The working hours for office attached to Civil Courts are from 10 A.M. to 5 P.M.]

2. Taking up cases after Court hours—No new case should be taken up after the closing hour of the Court but the hearing of a case taken up before that hour may, if necessary, be continued [2][for such period as may be considered necessary.]

3. Holidays—The holidays allowed to the Civil Courts are annually prescribed by the High Court, under the provisions of Section 47 of the Punjab Courts Act, and no other holidays can be allowed by any other authority. The list of Civil holidays comprises general holidays and local holidays, the latter being usually limited to three days in the year for each district.

4. Taking up cases on holidays—Civil suits and appeals ought not, as a rule, to be taken up during the vocation or on a holiday; but any civil suit or appeal may be legally heard, by consent of the parties during the vacation or on a holiday, if the Presiding Officer to the Court thinks it expedient, for any reason, to keep his Court open for the purpose.

COMMENTS

Consent of parties is necessary for hearing civil cases on holidays. Where arguments were heard during Court vacations in absence of party, and order passed ignoring the objection taken by party. The order as well as the earlier order made after hearing arguments, are unsustainable. 1969 Curr. L.J. 202.

5. Attendance of ministerial establishment—The members of the ministerial establishment of the Courts should (subject to any special rules regarding the Vacation Department) attend their office on all days except on holidays allowed to Civil Courts. An official may, however, be ordered by the Presiding Officer to attend office on a holiday to clear off arrears. An official should not except in most exceptional cases be made to attend on a holiday pertaining to his religion.

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1. Rule 1 substituted vide Notification No.346/Rules/DHC dated 23.9.2010.
2. Substituted for the words 'for a short time" vide Notification No.346/Rules/DHC dated 23.9.2010.

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6. Preparation of cause lists—Cause lists of cases fixed for each day should be prepared a day before. These lists should be exhibited in the Court room, or the verandah of the Court-house, at least by the afternoon of the day preceding that to which they relate, for the information of parties and their pleaders and the order of causes in the list should not be departed from without cogent reasons, unless the case be settled by compromise or the claim be admitted before the day fixed for trial. A strict adherence to this practice will secure punctual attendance and greatly promote the despatch of business and the convenience of parties and witnesses. Cases should as far as possible be so arranged in the cause lists that the litigants may not have to wait long for simple cases and petty work such as miscellaneous applications, executions and objections, etc.

COMMENTS

This rule prescribes preparation of course list daily but not its maintenance for ever. *Tilak Ram & Sons* v. *State of Punjab*, AIR 1973 Punjab 359.

7. Form of cause list—Cause lists should be in the following form :

In the Court of.....

Cause list for (Day of the week and date).....

Serial No.	No. and Description of the case	Plaintiff Appellant or Petitioner	Defendant or Respondent	Stage of the case, viz., for issues, evidence arguments	Remarks
1	2	3	4	5	6

Part B

RECEPTION OF PLAINTS AND APPLICATIONS

1. Not to be received on holidays—Plaints and petitions should be received by the Civil Courts on every day which is not an authorised holiday, during office hours.

2. (Not applicable for Delhi)

3. (i) *Distribution of cases*—Plaints and petitions presented will be received and distributed by the District Judge who may delegate this power under Section 37 if the Punjab Courts Act to any Subordinate Judge and should always do so when it is for the convenience of the litigants. Regard should be had to the provisions of Sections 15 and 20 and Order IV, Rule 1, of the Code of Civil Procedure, in framing directions regarding the reception of Civil suits.

(ii) *Duty of distributing officer*—The work of distribution of cases should not be left to the Reader or the Clerk of Court. The Judge should attend to it personally, noting in his own hand the name of person presenting the case and the Court to which the case has been assigned for trial. He should also inform the person presenting the plaint or petition of the date on which he is required to attend the Court to which the case is sent and note the fact of his having done so in his order. This will avoid the necessity of a notice being issued to the plaintiff or petitioner by the Court to which case is sent.

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(iii) *List of cases assigned to be exhibited*—At the end of each day a list of all the cases so distributed should be exhibited in the Court of the distributing officer. Similarly each Court should exhibit at the end of each day a list of the cases assigned to it by the distributing officer.

4. Examination, endorsement and distribution—Every plaint or petition should, if possible, specify the provision of law under which it is presented and should at the time of its reception, be at once endorsed with the date of its receipt, and such endorsement should be signed by the receiving officer. The Court-fees should be forthwith examined and cancelled in the manner prescribed in that behalf. The receiving officer should prepare a list of all plaints and applications received each day, and be held responsible that they are duly distributed in accordance with the orders passed thereupon, and the general instructions (if any) given by the District Judge or the Senior Sub-Judge in that respect.

5. Insufficiently stamped plaints etc.—It shall be duty of the Superintendent of the District and Sessions Judge, Clerks of Court of the Senior Sub-Judge and Judges of Small Causes Courts and Readers of all other Subordinate Judges to see that appeals, plaints and petitions etc., received in the Courts to which they are attached, are properly stamped. When they are in doubt what Court-fee is due on any document, it shall be their duty to refer the matter to the Presiding Officer for orders.

These officials are primarily responsible for any loss of revenue caused to Government by insufficiently stamped documents having been received owing to their neglect, but the ultimate responsibility for the loss lies on the Judge of the Court whose duty it is to look into such matters either when the plaints are instituted or when the plaints came up for hearing before him.

Note—The clerk of Court to the Senior Sub-Judge is responsible for checking the Court-fee on those plaints only which the Senior Sub-Judge retains for trial by himself. In other cases the Reader of the Court to which the suit is sent for trial is responsible.

Provided that the personal responsibility of the officers concerned shall only be enforced where obvious mistakes have been made and not in cases in which a genuine doubt was possible regarding the correctness of the Court-fee due.

6. Transfer of cases to equalise work—The equal distribution of work amongst the Courts available can always be effected by the transfer of cases when necessary from one Court to another under the authority vested in the District Judge.

When a case is transferred by judicial order, the Court passing the order should fix a date on which the parties should attend the Court to which the case is transferred.

7. (a) *Petition box*—The petition box shall be placed in the verandah of the Court house about one hour before the Court sits, an official being specially made to attend early for this purpose. It shall be opened in the presence of the Judge about 15 minutes after the Court opens when all petitions shall be initialled by him. The Judge shall pass proper orders forthwith or inform the petitioner when orders will be ready after the necessary *Kaifiyats* have been put up. The box shall be replaced in the verandah and opened again shortly before the Court rises for luncheon in the presence of the Judge and the same procedure followed. It shall then be replaced once more in the verandah and opened for the last time 15 minutes before the time fixed for the rising of the Court and the procedure prescribed above followed. After the box has been opened for the third time, it shall not be replaced in the verandah but petitions, may thereafter be presented up to the closing hour of the Court to the presiding officer personally who shall receive them.

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A list of all miscellaneous or execution applications, on which orders cannot be passed forthwith, should be prepared and exhibited outside the Court room specifying the date fixed for the disposal of each application.

(b) *Urgent cases*—In urgent cases the Judge may exercise his discretion and personally receive documents presented to him direct at any time.

(c) *Reception by ministerial establishment prohibited*—The members of the ministerial establishment are strictly forbidden to receive petitions, plaints or other documents direct from lawyers and their clerks or from litigants except when the Judge is on leave and no other judicial officer is incharge of his current duties. District Judge should, however, invariably make arrangements for the reception of plaints and petitions, etc., by another officer of a Court when an Officer is temporarily absent on leave, tour or otherwise.

COMMENTS

When the presiding officer of a Court has been transferred and his successor has not assumed office, the clerk of the Court is competent to receive the petition of plaint. *Tara Singh and others* v. *Ajit Pal Singh,* AIR 1972 Punjab 285.

(d) *Exceptions*—The above orders do not apply to applications put in by counsel for the inspection of records which may be presented to the Presiding Officer personally, nor do they apply to *talbanas* and stamped postal envelopes filed by litigants, which should be received direct by the Ahlmad or the moharrir and a receipt given for the same whether demanded or not.

8. Who can file petitions etc.—Plaints and petitions must be filed, except, when otherwise specially provided by any law for the time being in force, by the party in person or by his recognised agent or by a duly authorised and qualified legal practitioner.

9. Recognised agents—Recognised agents are defined in Order III, Rule 2, of the Code of Civil Procedure, 1908. As to the appointment of a pleader, the Provisions of Rule 4 of Order III, Civil Procedure Code, as amended by Act XXII of 1926, and the instructions of the High Court given in Chapter 16, Part A, of this volume should be carefully studied.

10. Powers of Attorney—When parties appear by pleaders, or agents duly authorised in that behalf, their powers-of-attorney should, when practicable, be filed in original with the plaint. Where the power-of-attorney is a general one, a copy should be filed, the original being presented for verification. When so filed, the power-of-attorney will be considered to be inforced until revoked, with the leave of the Court, by a writing signed by the client and filed in Court, or until the client or pleader or agent dies, or all proceedings in the suit are ended so far as regards the client.

11. Sending by post—The reception of plaints and petitions made under the Code of Civil Procedure for judicial purposes, by post, is irregular. All applications of a judicial nature received by post should be filed and on each application so filed an endorsement should be made to the effect that it was filed as not having been properly presented. This does not apply to applications for copies of judicial proceedings, which are not applications for judicial purposes made under the Code; but are applications dealt with under administrative authority.

Part C
EXAMINATION OF THE PLAINT

1. Examination—On the presentation or receipt of a plaint, the Court should examine it with

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A	By (Officer of Court) From Name and description of Party presenting
B	

Instructions

1. In the case of parties who are illiterate and unaccompanied by counsel a parcha is to be given without demand (1) to the person who presents the plaint, appeal or petition; and (2) when a case is not disposed of at the first hearing, to the defendant, or, if there be several, to such defendants or respondents as the Court may direct.

2. Every entry in any column after the first entry is to be signed by the officer making it.

14. Parcha Yadasht—A similar parcha shall be given to the opposite party when he appears if he is illiterate and not represented by counsel.

15. Filling in of the parcha—Parcha shall be filled in and signed by the Reader of the Court and given to the parties concerned in the presence of the Presiding Officer as soon as the date of hearing is fixed.

In Small Cause Courts and in the Courts of the District Judges this parcha may be filled in by any other official if the Presiding Officer so directs.

16. Filling in of the parcha—The above parcha shall be used throughout the proceedings and properly filled in whenever the case is adjourned. If the parcha is lost a duplicate should be given.

Part D
SERVICE OF PROFESSES

Issue of summons to the defendant

1. Summons for final disposal or settlement of issues—In Order V, Rule 5, of the Code of Civil Procedure, it is laid down that the Court shall determine at the time of issuing the summons, whether it shall be for the settlement of issues only, or for the final disposal of the suit, and the summons shall contain a direction accordingly; and a proviso to the rule adds that in every suit heard by a Court of Small Causes the summons must be for the final disposal of the suit.

2. When summonses for final disposal may be issued—In determining whether the summons shall be for the settlement of issues only, or for the final disposal of the case, the Court must be guided by the nature of the suit, and the probability or otherwise of the facts stated in the plaint being disputed by the defendant on grounds which will require the production of much evidence or will involve much contention. Where the case appears simple, and it seems probable that a

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correct judgment can be formed at the first hearing from the examination of the parties or their agents; and such evidence, oral or documentary, as they can bring with them, the summons should be for the final disposal of the case.

3. Adjournment of case in case of summonses for final disposal—It will however, be remembered that when the summons is for final disposal, the Court is not bound to dispose of the case on the date fixed for hearing, but can adjourn the case to another date, to enable the parties to produce evidence when this seems necessary in the interests of justice, and especially when there is reason to believe, that one party has been taken by surprise by the pleadings of, or statements made on examination by the other.

4. Suitors should be made to know what summons for final disposal means—Care should be taken to make suitors understand, in cases in which the summons is for final disposal, that all their evidence must be produced on the day fixed for disposal.

5. Distinctive colour of summons for final disposal—The form of summons for the final disposal of a suit should be printed in the vernacular on coloured paper, as this will tend to impress the distinction between this form and that for settlement of issue both upon the minds of the people, and upon the officers of the Courts. Presiding Officers should take care in such cases that the plaintiff understands that, if he wishes for the assistance of the Court for the purpose of causing the production of his evidence, he must make timely application.

6. Summons to be signed and sealed. Copy of plaint to accompany it—Summons should be clearly and legibly written and signed and, the seal of the Court must be affixed. Order V, Rule 1(3) of the Code requires that the summons shall be signed by the Judge or such officer as he appoints. In Courts, provided with a Superintendent or Clerk Court he may be authorised to sign summonses; in all other Court the Reader may be authorised to sign them. The signature should in all cases be fully and legibly written. A copy or concise statement of the plaint should be attached to each summons.

7. References—As regards the general procedure to be followed in effecting service of processes personal attention to service and proof of service, special procedure in the case of Government servants and persons in Military employ, etc., the time to be allowed for service of processes in foreign countries. Chapter 7, Volume IV, "Processes of Civil Courts" may be referred to. For service of Processes of Appellate Courts.

[8]Part E
WRITTEN STATEMENTS, SET OFF AND COUNTERCLAIM

1. When written statements are required—It is laid down in Order VIII, Rule 1, of the Code of Civil Procedure, that [9](a defendant shall at or before the first hearing or within such time as the Court may permit, present a written statement of his defence in duplicate, one for the Court and the other for the plaintiff). In most cases, there should be no difficulty in presenting such a written statement on the date fixed, and no adjournment should be given for the purpose except for good cause shown, and in proper cases, costs should be awarded to the opposite side. Laxity in granting adjournments for the purpose of filing written statements should be avoided, and it

8. Heading substituted by Act No. 104 of 1976.
9. Order VIII as amended by Act No. 104 of 1976.

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Annexure-'B'

रजिस्ट्री सं. डी.एल.—33002/99 भारत सरकार GOVERNMENT OF INDIA REGISTERED No. D.L.—33002/99

दिल्ली राजपत्र
Delhi Gazette

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भाग—IV
PART—IV
राष्ट्रीय राजधानी राज्य क्षेत्र, दिल्ली सरकार
GOVERNMENT OF THE NATIONAL CAPITAL TERRITORY OF DELHI

दिल्ली उच्च न्यायालय

अधिसूचना

दिल्ली, 9 फरवरी, 2011

सं. 70/नियम/डी.एच.सी.—सिविल प्रक्रिया संहिता, 1908 (1908 का 5) के भाग X एवं सिविल प्रक्रिया संहिता, 1908 के आदेश V नियम 9 के अन्तर्गत शक्तियों एवं इस निमित्त समर्थ बनाने वाली अन्य सभी शक्तियों का प्रयोग करते हुए, दिल्ली उच्च न्यायालय, एतद्द्वारा निम्नलिखित नियम निर्मित करते हैं :—

'दिल्ली न्यायालयों की आदेशिकाओं का कूरियर, फैक्स एवं इलेक्ट्रॉनिक मेल सेवा के द्वारा तामील (सिविल कार्यवाहियाँ) नियम, 2010'

अध्याय I

सामान्य

1. शीर्षक :

ये नियम दिल्ली न्यायालयों की आदेशिकाओं की कूरियर, फैक्स एवं इलैक्ट्रॉनिक मेल सेवा के द्वारा तामील (सिविल कार्यवाहियाँ) नियम, 2010 कहलाए जाएँगे।

2. प्रारंभ :

ये नियम इनकी अधिसूचना की तिथि से प्रवृत्त होंगे।

3. उपयोजन :

ये नियम दिल्ली उच्च न्यायालय अथवा किसी अधीनस्थ न्यायालय अथवा दिल्ली में अधिकरण के समक्ष लम्बित वादों को सम्मिलित करते हुए सभी सिविल कार्यवाहियों, रिट याचिकाओं, आवेदन-पत्रों, अपीलों, पुनरीक्षणों अथवा पुनरावलोकनों पर लागू होंगे।

4. परिभाषाएँ :

(ए) "कोड" से तात्पर्य सिविल प्रक्रिया संहिता, 1908 है।

(बी) "कूरियर" से तात्पर्य डाक की वस्तुओं की सुपुर्दगी के व्यापार में लगे हुए एक स्वत्वधारी सरोकार, एक फर्म, एक कम्पनी अथवा एक निगमित निकाय है।

(सी) "अनुशंसा समिति" से तात्पर्य प्रस्तावित अनुमोदित कूरियर की सूची बनाने के लिए उच्च न्यायालय के मुख्य न्यायाधीश के द्वारा गठित समिति जिसमें महानिबंधक, उच्च न्यायालय के एक अधिकारी जो संयुक्त निबंधक के रैंक से नीचे का न हो एवं दिल्ली उच्चतर न्यायिक सेवा का एक अधिकारी सम्मिलित हो।

(डी) "उच्च न्यायालय" से तात्पर्य दिल्ली उच्च न्यायालय है।

(ई) "मुख्य न्यायाधीश" से तात्पर्य दिल्ली उच्च न्यायालय

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13. Digitally signed process to be sent at the given electronic mail address by using pre-designed templates :

The process digitally signed by the Presiding Officer of the Court or any other officer authorized by the High Court or the District Judge in this behalf, as the case may be, will be sent at the given electronic mail address of the other party by using the pre-designed templates, designed in accordance with the formats provided in Appendix B of the Code of Civil Procedure, 1908 or in the form as directed by the Court, with the scanned images of the documents. The bouncing of mail shall not constitute valid service.

14. Fee for sending process/documents by Electronic Mail Service to be deposited :

The process would be sent by Electronic Mail Service after the party has deposited the fee at such rate as may be determined by the High Court for itself and the District Court.

CHAPTER 5

Miscellaneous

15. Summons to witnesses :

The provisions of these rules shall apply to summons to give evidence or to produce documents or other material objects.

16. Notices or other communication during the proceedings :

The court may direct that a notice or any other communication to any of the parties to the suit or any interlocutory proceeding, before it, may be sent by Courier, Fax or Electronic Mail Service in the manner and in the format it may consider appropriate. Such notices or communications sent by the Electronic Mail Service shall be digitally signed by the Court or by any Officer authorized in this behalf.

17. Parties may voluntarily apply to be served by Fax or Electronic Mail Service :

During the trial of the case, any of the party to the suit or interlocutory proceedings, may file an application in writing giving its Fax number or the electronic mail address or both, with the request that it may be served with the notices of the Court or any other communication under the Code at the given Fax number or the designate electronic mail address. Any notice or communication sent at the said number or address will constitute a valid service of such notice or the communication on such party.

18. Saving of the powers of the Court :

Nothing in these rules shall be deemed to limit or otherwise affect the power of the Court relating to service of summons or notices or other communications as given in the Code or any other law for the time being in force.

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FORM 'A'

HIGH COURT OF DELHI

GENERAL BRANCH

LAST DATE OF TENDER :—

No :

Dated :

NOTICE INVITING TENDERS FOR COURIER SERVICES

Sealed tenders are invited, as per proforma enclosed herewith, from reputed firms, companies or other Body Corporate in the field of courier services for awarding of contract for Courier Services for delivery of letters, notices/ summons, parcels etc. dispatched from High Court of Delhi to every nook and corner of the country and outside India.

Preference will be given to the Courier having features such as security, speed, tracking, specialized and individualized service, committed delivery time and large network throughout the country, including remote areas as well as adequate arrangement for service outside India.

TERMS AND CONDITIONS

1. The tenderer shall be required to furnish details about his present business, permanent address, complete networking in the country and outside India, audited accounts for the past three years, experience in the field of courier services and list of valued/important clients and litigation, if any, pending before any of the Courts in Delhi in which it is a party, **compulsorily as per Annexure 'A'.**
2. Two separate sealed envelopes should be used for submitting (i) tender and (ii) earnest money, on each envelope superscribing (a) Tender for Courier Services, and (b) Earnest Money for Courier Services.
3. The tenderers are required to quote their lowest competitive rates for courier services to be provided throughout India and outside India. Separate rates may be quoted for local delivery, NCR, inland delivery outside Delhi/NCR and delivery in other countries.
4. The rates quoted by the tenderer for courier services should be valid for a period of one year from the date of acceptance.
5. The tenderers are required to send their tender along with a demand draft of Rs. 20,000 (Rupees twenty thousand only) drawn in favour of the "Registrar General, High Court of Delhi" as earnest money, which will be refunded to the unsuccessful tenderers on their written request with respect thereto. Name of

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