Dy N. 5395
28/05/2025

HIGH COURT OF DELHI AT NEW DELHI

No. 139 /Rules/DHC Dated: 27/05/2025

PRACTICE DIRECTION

In addition to Office Order No. 600/Original/DHC/2019 dated 04.05.2019, Hon'ble the Chief Justice, on the recommendations of the Hon'ble Chairman of the 'Tribunal Reforms and I.P. Division Committee' has been pleased to issue following Practice Direction for information and compliance by all concerned:-

> **"In case any application is filed seeking appointment of a Local Commissioner and the plaintiff apprehends failure of the Local Commission if the identity of the defendant is revealed, the request for masking of identities of the parties, till the filing of the report of the Local Commissioner may be considered on case to case basis by the court concerned."**

The above referred Office Order No. 600/Original /DHC/2019 dated 04.05.2019 is attached herewith.

This Practice Direction shall come into force with immediate effect.

i) OIC Genl. Bs. I for circulation
ii) one Computer for uploading on website
iii) one Filing Section

By Order

A Bhardwaj

(ARUN BHARDWAJ)
REGISTRAR GENERAL

Endst. No. 468-494 /Rules/DHC/2025 Dated: 27/05/2025

Copy forwarded for information and compliance to:-

1. The Principal District & Sessions Judge (HQ), Tis Hazari Courts, Delhi.
2. The Principal District & Sessions Judge, North-West District, Rohini Courts, Delhi.
3. The Principal District & Sessions Judge, South District, Saket Courts, New Delhi.
4. The Principal District & Sessions Judge, South-West District, Dwarka Courts, New Delhi.
5. The Principal District & Sessions Judge, North District, Rohini Courts, Delhi.
6. The Principal District & Sessions Judge, South-East District, Saket Courts, New Delhi.
7. The Principal District & Sessions Judge, East District, Karkardooma Courts, Delhi.
8. The Principal District & Sessions Judge,New Delhi District, Patiala House Courts,New Delhi.
9. The Principal District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.
10. The Principal District & Sessions Judge, North-East District, Karkardooma Courts, Delhi.
11. The Principal District & Sessions Judge, West District, Tis Hazari Courts, Delhi

12. The Principal District & Sessions Judge-cum-Special Judge, CBI (PC Act), Rouse Avenue District Court Complex, New Delhi
13. The Principal Judge, Family Courts (HQ), Dwarka Courts Complex, Dwarka, New Delhi
14. The Principal Secretary (Law, Justice & LA), Govt. of N.C.T. of Delhi, Delhi Secretariat, I.P.Estate, New Delhi.
15. The President/Secretary, Delhi High Court Bar Association, Delhi High Court, New Delhi.
16. The Secretary, Bar Council of Delhi, 2/6, Siri Fort Institutional Area, Khel Gaon Marg, New Delhi-110049
17. The President/Secretary, Bar Association, Tis Hazari Courts/Patiala House Courts/ Karkardooma Courts/ Rohini Courts/Dwarka Courts/Saket Court Complex/Rouse Avenue Court Complex
18. The Member Secretary, Delhi State Legal Service Authority, Rouse Avenue District Court Complex, New Delhi with the request to forward a copy of the Notification/Practice Direction to the Secretaries of all the eleven District Legal Services Authorities.
19. The Secretary, Delhi High Court Legal Services Committee.
20. The Chairman, District Court Website Committee, Tis Hazari, Delhi for uploading the Notification/Practice Direction on the website of Delhi District Court.
21. Registrar-cum-Secretary to Hon'ble the Chief Justice.
22. All Registrars/OSDs/Joint Registrars (Judicial).
23. Joint Registrar-cum-P.A. to Registrar General, Delhi High Court.
24. Joint Director (IT) with the request to upload the Practice Direction on the Intranet of this Court.
25. Librarian, Delhi High Court.
26. Private Secretaries/Court Masters to Hon'ble Judges for kind perusal of His Lordships.
27. Guard File.

Meenakshi

DEPUTY REGISTRAR (RULES)

HIGH COURT OF DELHI: NEW DELHI.

No.600 /Original/DHC/2019

Dated: 04-05-19

OFFICE ORDER

The trend of arraying the main defendant as defendant No.2 or defendant No.3, with the object of enabling the plaintiffs to obtain interim orders and disabling the main defendant to appear before the Court on the very first date, when the case is listed before the court, was noticed by a learned Single Judge of this Court in the case of ***Micolube India Ltd. Versus Maggon Auto Centre & Another, 2008 (36) PTC 231***. It was held that *"it is unfortunate that the main defendant was arrayed as defendant No.2. It is not only in this case, but in several other cases that this court has noticed this unhealthy trend on the part of the plaintiffs to array the main defendant as defendant No.2 or defendant No.3 while naming some innocuous dealer or retail outlet as defendant No.1. The object is easily discernible. When the counsel for the main defendants scan the list of cases, they would not be able to know as to whether any case has been filed against them so as to enable them to appear on the very first date on which the case is listed before court."* This view was upheld by a Division Bench of this Court in an appeal filed against the aforementioned order.

In CS(COMM) 110/2019 Hon'ble Ms. Justice Prathiba M. Singh has been pleased to pass the following orders on 16.04.2019:

> **"16. It is noticed that, despite this being settled legal position, in most cases, an unknown Defendant or an employee or Director is impleaded as the first Defendant to avoid detection in the cause list. Such a practice having been held to be impermissible by the Division Bench, the same cannot be permitted to continue in any manner.**
>
> **xxxx xxxx xxxx**
>
> **Registry is directed to ensure strict compliance of the judgment in the Micolube India Ltd. Versus Maggon Auto Centre & Anr. 2008 (36) PTC 231 (Del) and seek an undertaking of the Plaintiff in IPR cases where there are multiple Defendants that the Defendant No. 1 being arrayed is the main contesting Defendant in the Suit."**

The above directions are circulated for information and strict compliance by all concerned. The undertaking shall be given at the end of the Memo of Parties.

BY ORDER

Sd/-
(DINESH KUMAR SHARMA)
REGISTRAR GENERAL

Endst.No.9943 - 49 /Original/DHC/2019 Dated : 04-05-19

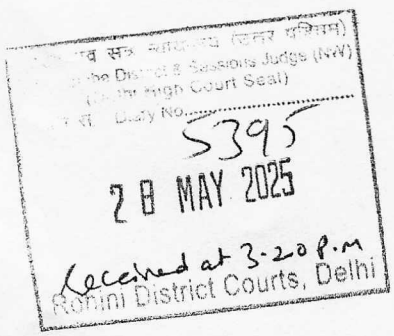
Copy forwarded for information and necessary action to:

1. Joint Registrar-cum-Secretary to Hon'ble the Chief Justice.
2. All Registrars /Joint Registrars / Deputy Registrars / Assistant Registrars.
3. Deputy Registrar- cum - PA to Registrar General.
4. All Admn. Officers (Judicial)/ Branch Incharges.
5. The Hony. Secretary, Delhi High Court Bar Association with the request to bring contents of this Office Order to the notice of the Members of the Bar.
6. Notice Board.
7. Guard File.

JOINT REGISTRAR (ORIGINAL)

No. 468-494/Rules/DHC/2025

Special Messenger



To,
The Principal District & Sessions Judge,
North-West District,
Rohini Courts,
Delhi

From :
Delhi High Court
Sher Shah Road,
New Delhi-110003