Dy no. 37
06/01/2026

HIGH COURT OF DELHI : NEW DELHI

No. 167 /Rules/DHC Dated : 06/01/2026

CIRCULAR

Copy of Notification No. 119/Rules/DHC dated 26.12.2025, as published in Delhi Gazette Extraordinary, Part II, Section I, No. 57 (NCTD No.391) dated 26.12.2025 regarding Personal appearance of Government Officials in Court Proceedings Rules, 2025 is hereby circulated for information.

(ARUN BHARDWAJ)
REGISTRAR GENERAL

Endst. No. 66-92 /Rules/DHC/2026 Dated 06/01/2026

Copy forwarded for information and necessary action 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 Secretary, Bar Council of India, 21, Rouse Avenue Institutional Area, New Delhi – 110002.
16. The Secretary, Bar Council of Delhi, 2/6, Siri Fort Institutional Area, Khel Gaon Marg, New Delhi – 110049.
17. The President/Secretary, Delhi High Court Bar Association, Delhi High Court, New Delhi.
18. The President/Secretary, Bar Association, Tis Hazari Courts/Patiala House Courts/ Karkardooma Courts/ Rohini Courts/Dwarka Courts/Saket Court Complex/Rouse Avenue Court Complex

OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE: ROHINI COURTS, DELHI

No. 1478 – 1606 Genl.I/N-W&N/RC/2026 Dated 12/01/2026

Copy forwarded, alongwith its enclosures for information & necessary action/compliance, to :-

1. All Ld. Judicial Officers posted at N/W & North, Rohini Courts, Delhi.
2. All Branch In-Charges, N/W & North, Rohini Courts, Delhi.
3. Dealing Official, Computer Branch, Rohini Courts for uploading the same on WEBSITE.
4. The Dealing Official, R & I Branch, Rohini Courts, Delhi for uploading the same on LAYERS.

(SUSHIL KUMAR)
Link Officer In-Charge, General Branch-I
North-West & North District
Rohini Court Complex, Delhi

HIGH COURT OF DELHI : NEW DELHI

NOTIFICATION

No. 119 /Rules/DHC Dated: 26/12/2025

In exercise of the powers conferred by Section 7 of the Delhi High Court Act, 1966 (Act 26 of 1966) read with Article 227 of the Constitution of India and all other powers enabling it in this behalf, and in compliance with the Judgment dated 03.01.2024 of the Hon'ble Supreme Court in Civil Appeal No. 23-24/2024 titled "*The State of Uttar Pradesh & Ors. Vs. Association of Retired Supreme Court and High Court Judges at Allahabad & Ors.*", the High Court of Delhi with the previous approval of the Lt. Governor of National Capital Territory of Delhi, hereby makes the following rules, namely, "Personal appearance of Government Officials in Court Proceedings Rules, 2025".

1. **Short Title, Applicability and Commencement:** These Rules may be called "Personal appearance of Government Officials in Court Proceedings Rules, 2025" and shall apply to all court proceedings involving the government in cases before the High Court of Delhi as well District Courts and Tribunals under the control and supervision of the High Court of Delhi, acting under their respective appellate and/or original jurisdiction or proceedings related to contempt of court. These Rules shall come into force from the date of its publication in the official Gazette.

2. Personal presence pending adjudication of a dispute

2.1 Based on the nature of the evidence taken on record, proceedings may broadly be classified into three categories:

a. Evidence-based Adjudication: These proceedings involve evidence such as documents or oral statements. In these proceedings, a government official may be required to be physically present for testimony or to present relevant documents. Rules of procedure, such as the Code of Civil Procedure, 1908, or the Code of Criminal Procedure, 1973/Bharatiya Nagarik Suraksha Sanhita, 2023 govern these proceedings.

b. Summary Proceedings: These proceedings, often called summary proceedings, rely on affidavits, documents, or reports. They are typically governed by the Rules of the Court set by the High Court of Delhi and principles of Natural Justice.

c. Non-adversarial Proceedings: While hearing non-adversarial proceedings, the court may require the presence of government officials

#

to understand a complex policy or technical matter that the law officers of the government may not be able to address.

2.2 Other than in cases falling under Rule 2.1(a) above, if the issues can be addressed through affidavits and other documents, physical presence may not be necessary and should not be directed as a routine measure.

2.3 The presence of a government official may be directed, inter alia, in cases where the court is prima facie satisfied that specific information is not being provided or is intentionally withheld, or if the correct position is being suppressed or misrepresented.

2.4 The court should not direct the presence of an official solely because the official's stance in the affidavit differs from the court's view. In such cases, if the matter can be resolved based on existing records, it should be decided on merits accordingly.

3. Procedure prior to directing personal presence

3.1 In exceptional cases wherein the in-person appearance of a government official is called for by the court, the court should allow as a first option, the officer to appear before it through video conferencing.

3.2 The Invitation Link for Video Conferencing appearance and viewing, as the case may be, must be sent by the Registry of the High Court of Delhi/ Reader/Ahlmad of the District Court concerned to the given mobile no(s)/e-mail id(s) by SMS/email/WhatsApp of the concerned official at least one day before the scheduled hearing

3.3 When the personal presence of an official is directed, reasons should be recorded as to why such presence is required.

3.4 Due notice for in-person appearance, giving sufficient time for such appearance, must be served in advance to the official. This would enable the official to come prepared and render due assistance to the court for proper adjudication of the matter for which they have been summoned.

4. Procedure during the personal presence of government officials:

In instances where the court directs the personal presence of an official or a party, the following procedures are to be followed:-

4.1 Scheduled Time Slot: The court should, to the extent possible, designate a specific time slot for addressing matters where the personal presence of an official or a party is mandated.

#

4.2 The conduct of officials: Government officials participating in the proceedings need not stand throughout the hearing. Standing should be required only when the official is responding to or making statements in court.

4.3 During the course of proceedings, oral remarks with the potential to humiliate the official should be avoided.

4.4 The court must refrain from making comments on the physical appearance, educational background, or social standing of the official appearing before it.

4.5 Courts must cultivate an environment of respect and professionalism. Comments on the dress of the official appearing before the court should be avoided unless there is a violation of the specified dress code applicable to their office.

5. Time Period for compliance with judicial orders by the Government

5.1 Ensuring compliance with judicial orders involving intricate policy matters necessitates navigating various levels of decision making by the Government. The court must consider these complexities before establishing specific timelines for compliance with its orders. The court should acknowledge and accommodate a reasonable timeframe, as per the specifics of the case.

5.2 If an order has already been passed, and the government seeks a revision of the specified time frame, the court may entertain such requests and permit a revised, reasonable timeframe for the compliance of judicial orders, allowing for a hearing to consider modifications.

6. Personal presence for enforcement/contempt of court proceedings

6.1 The court should exercise caution and restraint when initiating contempt proceedings, ensuring a judicious and fair process.

6.2 Preliminary Determination of Contempt: In a proceeding instituted for contempt by willful disobedience of its order, the court should ordinarily issue a notice to the alleged contemnor, seeking an explanation for their actions, instead of immediately directing personal presence.

6.3 Notice and Subsequent Actions: Following the issuance of the notice, the court should carefully consider the response from the alleged contemnor. Based on their response or absence thereof, it should decide

on the appropriate course of action. Depending on the severity of the allegation, the court may direct the personal presence of the contemnor.

6.4 Procedure when personal presence is directed: In cases requiring the physical presence of a government official, it should provide advance notice for an in-person appearance, allowing ample time for preparation. However, the court should allow the officer as a first option, to appear before it through video conferencing.

6.5 Addressing Non-Compliance: The court should evaluate instances of non-compliance, taking into account procedural delays or technical reasons. If the original order lacks a specified compliance timeframe, it should consider granting an appropriate extension to facilitate compliance.

6.6 When the order specifies a compliance deadline and difficulties arise, the court should permit the contemnor to submit an application for an extension or stay before the issuing court or the relevant appellate/higher court.

BY ORDER OF THE COURT

Sd/-
(ARUN BHARDWAJ)
REGISTRAR GENERAL

Notification stands published in Delhi Gazette Extraordinary, Part II, Section I, No. 57 (NCTD No.391) dated 26.12.2025

#