

**OFFICE OF THE DISTRICT & SESSIONS JUDGE, SOUTH**  
**WESTDISTRICT, DWARKA COURTS, DELHI**

**PROTOCOL REGARDING REMOTE HEARINGS**  
**BY USE OF VIDEO/VISUAL CONFERENCING**

1. With the outbreak of pandemic Coronavirus (COVID-19) it is necessitated that we resort to technology for access to justice by use of remote hearings i.e. by use of computer application(s) and network for video link. As per the directions of the Hon'ble High Court of Delhi, the subordinate judiciary of Delhi is mandated to use the application **WebEx – Meetings by CISCO** for remote hearings. A separate note providing stepwise guidance for installation and downloading of the application **WebEx – Meetings by CISCO** has been released and published on the website of the South West District Court, Delhi.
2. This protocol relates to remote hearings conducted through **WebEx – Meetings by CISCO** in matters of extreme urgency during the period of lockdown/suspension of Court work w.e.f. **16.04.2020** until further orders.
3. The remote hearing shall be conducted only by use of the application **WebEx – Meetings by CISCO**. The objective of remote hearing is to make the same as close to the usual practice in Court.
4. Any hearing to be conducted remotely i.e. by use of the application **WebEx – Meetings by CISCO**, the same would need to be approved by the A.O.(J) or Judge on duty, as per the roster, only if the same demands extreme urgency. It would solely be the discretion of the concerned Judge to allow remote hearing or not.
5. **Filing:** (i) The Advocate/Party who seeks a remote hearing shall file a petition, application, plaint, along with documents must do so by filing a softcopy through email. An application stating the extreme urgency shall accompany the aforesaid paper-book softcopy and under no circumstances shall the same exceed the limit of 1(one) page. The filing of replies, statement of defences, rejoinders shall be made in the same format as the petition/plaint/application through email at the designated email address i.e. [facilitationsw.ddc@gov.in](mailto:facilitationsw.ddc@gov.in)
- (ii) The following requirements must be complied:
  - a. All documents must be filed in PDF format including a scanned copy of duly attested affidavit.
  - b. The documents must be compiled in a single PDF file duly paginated and bookmarked.
  - c. The PDF file shall be searchable and legible.
  - d. The filing must be done by the Advocate/Party in person through email only at the designated email address i.e. [facilitationsw.ddc@gov.in](mailto:facilitationsw.ddc@gov.in)
  - e. The Advocate/Party in person must disclose the digits of their mobile phone, email address and complete address of their office/home. The Advocate must

also disclose the Bar Enrolment number. For setting up remote hearings the host does need email address of the participants.

- f. The filings for remote hearing can only be made between 1100Hrs to 1430Hrs on any working day. No filing through email post 1430Hrs shall be considered and the same shall be due for the following working day as its date of filing.

(iii) The Facilitation Centre shall register the plaint/petition/application in CIS and retain a printed/hardcopy for the record.

6. **Conduct of Business/Hearing:** (i) On the Judge being satisfied that the matter demands urgent hearing, the Advocate/Party in Person and other stakeholders shall be intimated by a telephonic call/text message/email about the listing of the matter and the designated date and time slot for the hearing. Such communication shall provide the complete details and hyperlink through which the remote hearing shall be conducted.

(ii) Meanwhile a copy of the petition/application/plaint shall be forwarded to opposite party for reply/response. Any such reply/response must be filed in compliance of Point No. 5 of the present guidelines.

(iii) Hearing:

- a. All the participants must bear in mind that the remote hearings are Court hearings and the solemnity of the same shall be observed, as one would do in a courtroom with the Judge in presence, regardless of the fact that the participant is located remotely. Due consideration be made about the physical environment from where the participant intends to join the proceedings remotely. All background noises should be reduced to minimum and avoided.
- b. The Advocates are directed to attend the remote hearing in uniform as per the High Court Rules.
- c. The Advocates, litigants and other stakeholders must be in a secure room with doors closed and restricted access to avoid noise and distraction.
- d. The basic etiquette of a video conference, virtual meeting is that when a participant is not speaking their microphones should be on mute and the same are unset only when they speak. The Advocates, litigants and other stakeholders must strictly adhere to this basic etiquette.
- e. A Judge will set out the modicum for dealing with interruptions. It may be that all the participants are asked to turn off their video cameras and the same be turned on to indicate that one wishes to interject or contribute at that point in time.
- f. The discretion solely vests with the Judge to apprise the participants with the framework and practicalities of the remote hearing.
- g. The remote hearing shall start on the scheduled time and the participants should be ready for the hearing. The testing of the video and audio feed of Advocates and each participant should take place before the allotted hearing time and before the Judge joins the hearing.
- h. As the purpose of remote hearing is to foist the access of justice, where possible all parties whether layman, professional, their legal representatives should participate in the remote hearing.

(iv) Dictation, Signing and Pronouncement of Order/Judgment:

- a. As the court staff inclusive of Stenographer, Reader/*Ahalmad*/Asstt. *Ahalmad* would be participating in the remote hearings, the discretion would be solely of the Judge whether to dictate the order to the stenographer during the currency of the remote proceedings or reserve the order for pronouncement, which would be sometime later in the day or on some other day at designated time to be communicated to the Advocates/Litigants/Stakeholders.
  - b. The stenographer shall transmit the typed copy of the shorthand to the concerned Judge on the earmarked email address for any corrections and the same shall only be released after appending of signatures by the Judge.
  - c. The Judge may either append his signatures in his own hand on the printout of the order taken by him or through use of Acrobat Reader DC/equivalent application or by use of electronic signatures.
  - d. In case a Judge does not have an electronic signature to append on the order/judgment pronounced, Judge may express the same by words in the said order/judgment and indicate that it takes effect although does not bear the signature/electronic signature/stamp.
  - e. The signed copy of the order in the above manner shall be transmitted by the Judge or Stenographer of the Judge to the concerned person of Computer Branch through email on the designated email address i.e. [facilitationsw.ddc@gov.in](mailto:facilitationsw.ddc@gov.in) to be uploaded forthwith on the website of the South West District Court, Delhi.
  - f. A signed copy of the order must be retained to be kept in the judicial file. It must be kept in mind that the Court is operating on skeletal staff and realistically there may be delay in compliances under given circumstances.
7. The Computer Branch should endeavour to create a link on the website of the South West District, Delhi as ***Order Passed on [Date] in Extremely Urgent Matters***, where the order passed in cases through remote hearings shall be uploaded on daily basis.
8. The above procedure for remote hearing shall be adopted only with the consent of all stakeholders and the remote hearing may be allowed only in cases of extreme urgency.
9. The present is an option in addition to existing system of filing at the filing counter of the Facilitation Centre of South West District.

**-Sd-**

**(Narottam Kaushal)**  
District & Sessions Judge(SW)  
Dwarka Courts, Delhi

**No.6824-6887/DJ/NK/DWK/2020**

**Dated: April 15, 2020**