

OFFICE OF THE DISTRICT&SESSIONS JUDGE(S-W),
DWARKA COURTS,NEW DELHI

ORDER

Pursuant to Office order No. 26/DHC/2020 dated 30.07.2020 vide endorsement No. 1977-2009/DHC/2020 dated 30.07.2020 and in continuation of order No. 10340-10402/DJ/NK/DWK/2020/LKD dated 15.07.2020 of this office and in exercise of powers vested with the District & Sessions Judge(South-West District),inter alia under Section 10(3) Cr.P.C.,1973,I hereby authorize the following Additional District & Sessions Judges, South West District, Dwarka Courts, to hear and dispose of Bail Applications in respect of matters under investigation pertaining to South-West District, Sessions Division.

During the period of lockdown in view of the extraordinary circumstances, the Remand in special Acts(NDPS/TADA/POTA/Protection of Child Rights Act/POCSO and other similar special acts)of accused persons, pending investigation or under trial shall be dealt with by the Additional District & Sessions Judge, who is dealing with Bail Applications of police stations, as per Column 'A'.

The Officers whose name is mentioned in Column 'B 'shall also hear the bail applications moved by DLSA for matters which are under investigation. In view of the above, following will be the Duty Roster of work during the dates mentioned against the name of Judicial Officers:-

ROSTER FOR BAIL MATTERS (DELHI HIGHER JUDICIAL SERVICES)

		Names of Police Stations & Investigating Agencies			
		Baba Haridas Nagar, Najafgarh, Jaffarpur Kalan, Chhawla, Palam Airport, Crime Women Cell Nanak Pura, Crime Branch, Uttam Nagar, Mohan Garden and CAW Cell of South-West District.		Dwarka South, Dwarka North, Sector-23 Dwarka, Palam Village, Kapashera, Dabri, Bindapur, Janak Puri, Vikas Puri & CBI.	
		AND		AND	
		Remand Work in Special Acts through VC (CISCO/WEBEX)		Bail Applications u/s. 439 CrPC received from DSLSA	
		Column 'A' (Room No. 13)		Column 'B' (Room No. 11)	
S.N	Dates	Name of Judicial Officer	Name of Link Judicial Officer	Name of Judicial Officer	Name of Link Judicial Officer
1	04.08.2020	Sh. Sonu Agnihotri, ASJ-02	Sh. Deepak Wason Spl. Judge (NDPS)	Ms. Purva Sareen, ASJ-01 (POCSO)	Ms. Geetanjali Goel, ASJ (SFTC)

2	05.08.2020	Sh. Sonu Agnihotri, ASJ-02	Sh. Deepak Wason, Spl. Judge (NDPS)	Ms. Purva Sareen, ASJ-01 (POCSO)	Ms. Geetanjali Goel, ASJ (SFTC)
3	06.08.2020	Sh. Deepak Wason, Spl. Judge (NDPS)	Sh. Sonu Agnihotri, ASJ-02	Ms. Geetanjali Goel, ASJ (SFTC)	Ms. Purva Sareen, ASJ-01 (POCSO)
4	07.08.2020	Sh. Deepak Wason, Spl. Judge (NDPS)	Sh. Sonu Agnihotri, ASJ-02	Ms. Geetanjali Goel, ASJ (SFTC)	Ms. Purva Sareen, ASJ-01 (POCSO)
5	10.08.2020	Sh. Mohinder Virat, ASJ-03	Sh. Pritam Singh, ASJ-04 (POCSO)	Ms. Gomati Manocha, ASJ-05 (POCSO)	Sh. Deepak Wason, Spl. Judge (NDPS)
6	11.08.2020	Sh. Mohinder Virat, ASJ-03	Sh. Pritam Singh, ASJ-04 (POCSO)	Ms. Gomati Manocha, ASJ-05 (POCSO)	Sh. Deepak Wason, Spl. Judge (NDPS)
7	13.08.2020	Sh. Pritam Singh, ASJ-04 (POCSO)	Sh. Mohinder Virat, ASJ-03	Sh. Deepak Wason, Spl. Judge (NDPS)	Ms. Gomati Manocha, ASJ-05 (POCSO)
8	14.08.2020	Sh. Pritam Singh, ASJ-04 (POCSO)	Sh. Mohinder Virat, ASJ-03	Sh. Deepak Wason, Spl. Judge (NDPS)	Ms. Gomati Manocha, ASJ-05 (POCSO)

NOTE:-

1. Bail duty assigned to the above rostered Judicial Officers shall be in addition to any work pertaining to their own Court listed for hearing before them. Bail matters in pending cases shall be heard and disposed of by the respective Courts.

2. In case of urgency or unavoidable circumstances, if the rostered Judicial Officer(s) is not able to perform his/her duty on the dates mentioned against his/her name, then he/she shall take the willingness of a substitute Judicial Officer and send the request letter to the Office of the undersigned.
3. On Sunday or any other day of vacation(s), **Ms. Gomati Manocha, ASJ-05 (POCSO)** shall be the Officiating Addl. Session Judge (S-W), Dwarka Courts for all bail applications/urgent matters.
4. Miscellaneous urgent application(s)/bail application(s) in cases whether charge-sheet filed or not, triable by the Designated courts like POCSO, NDPS etc. will be dealt with by the concerned court.
5. The Judicial Officers whose names are mentioned in Col. 'A' shall hold their court in Room No. 13 and the officers mentioned in Col. 'B' shall hold their court in Room No. 11.
6. (a) Filing of civil cases/Misc applications (in pending civil matters) shall be through <https://efilingdl.ecourts/gov.in>.

(b) Hard copies of the cases which are filed through e-portal shall be received by the concerned court staff after getting the same verified by the Facilitation Centre, with regards to validity of Court Fee Certificate.

(c) Such matters shall be heard by the court concerned through video conference.

(d) In case an Advocate/party does not wish to avail the facility of e-filing and video conference hearing, then the period of limitation for actions (if applicable) shall be governed by decision of the Hon'ble Supreme Court in Suo-Motto Writ Petition (Civil) No. 3/2020 titled in re: Cognizance For Extension of Limitation dated 23.03.2020, wherein the period of limitation has been extended till further orders.
7. In pending matters, whether civil or criminal, at the stage of miscellaneous arguments or final arguments, advocate(s) shall be contacted by the concerned court staff and apprised about intended hearing by video conference, so that they can give their consent. Consent may be taken by court staff in a request form, as provided under Schedule-II of the High Court of Delhi Rules for Video conferencing for Courts 2020 (VC Rules). The consent/request form can be sent through e-mail by the concerned advocates to the concerned Readers of the Court on the designated e-mail address of the Reader already created. The list of court specific Reader's e-mail address has already been published.
8. In pending cases Advocate(s) may also move a joint application on e-mail ID of Reader requesting the court to take up the matter through video conferencing. Preference shall however be given to cases older than 10 years.
9. In final arguments, miscellaneous arguments cases, the Advocate(s) may send point-wise written submissions. Proper and complete citations of the case laws be also stated in the written submissions. The written submissions in above manner be sent through e-mail on the court specific Reader's email address with an advance copy of the same duly served upon the Advocate for the opposite party.

10. All bail applications/urgent matters in criminal cases for the establishment of the Sessions Courts shall be filed through e-mail at facilitaionsw.ddc@gov.in.
11. All bail applications/urgent matters in criminal cases for the establishment of the CMM shall be filed through e-mail at cmmoffsw.ddc@gov.in.
12. No case or application filed directly on the e-mail ID of the Reader of the court shall be deemed to be proper filing. Any advocate desirous of filing a matter or moving an application shall do the same on the designated e-mail IDs of the facilitation centre.
13. **In no circumstance any Advocate/Litigant shall communicate directly with the Learned Presiding Officer on his/her mobile phone or e-mail. Such communication shall attract initiation of appropriate proceedings under Contempt of Court Act.**
14. On the criminal side, no endorsement on bail bond and verification may be insisted upon. Concerned court staff shall share the bail order with prison authorities at email ID "daksection.tihar@gov.in". The court staff shall use the e-mail ID of respective Reader of the Court.
15. In terms of the directions given by the Hon'ble High Court of Delhi, New Delhi vide order No. 24/DHC/2020 dated 13.7.2020, physical filing of Non-urgent cases can be done as follows:-
- I) Paper books/Petitions be dropped in the dedicated petition boxes at the Facilitation Centre. Advocates shall mention their e-mail ID and mobile number in the petition.
 - II) Paper books/Petitions shall be taken up by Facilitation Centre after a safe time to ward off possibility of infection. Petition boxes shall be opened each day at 4.00 PM in the presence of a nominee of DCBA.
 - III) Facilitation Centre shall check and prepare the file for allocation.
 - IV) The same be allocated to the court concerned as per the directions given by the District & Sessions Judge (S-W)/Senior Civil Judge(S-W)/Chief Metropolitan Magistrate (S-W).
 - V) Physical files shall be sent to the court concerned to which the case has been allocated and Ahlmad shall make all necessary entries of parties/advocates/contact number/e-mail ID in the CIS.
 - VI) The Learned Presiding Officer shall order the cases to be registered, mentioning the directions of the Hon'ble High Court of Delhi, New Delhi issued on 13.07.2020 that the case will be heard only after normal functioning of the courts is resumed.
 - VII) The Reader/Ahlmad shall make appropriate kharja on the CIS on regular basis so that the Advocate(s)/Litigants may have the knowledge of proceedings.
16. (i) All Courts shall henceforth take up all the cases listed before them through videoconferencing.

(ii) Evidence shall be recorded only in ex-parte and uncontested matters where the same is required to be tendered by way of affidavit.

(iii) The Judicial Officers shall be permitted to come to court for holding videoconference hearings from their respective chambers only when they do not have requisite technical infrastructure at their residences or where there is a breakdown of such infrastructure.

(iv) Physical hearings shall be permitted in those matters only where a grave urgency is involved and hearing through videoconferencing is not feasible.

(v) For pronouncement of judgment in a criminal case, wherever required, the judicial officer may come to court for the same. In all such instances of physical hearings, the norm of social distancing be scrupulously adhered to.

(vi) Pronouncement of orders/judgments in Revision and Civil matters, in cases reserved for orders prior to imposition of lockdown shall be notified on the website of the District Court Dwarka by a special link. Court seeking to pronouncement of any order shall send the intimation to the Computer Branch for such pronouncement.

17. Bail applications under section 437 CrPC filed through Delhi Legal Services Authority shall be dealt by the Duty Magistrate.

18. The senior most Judicial Officer present in the Court Complex shall be the Officiating District & Sessions Judge (S-W) for all administrative purposes.

19. The Lawyers Chambers Block (S-W), Dwarka Courts shall remain closed as per the earlier directions received from the Hon'ble High Court of Delhi, New Delhi.

20. The above-said directions shall remain in-force till **14.08.2020**.

(NAROTTAM KAUSHAL)
District & Sessions Judge(S-W)
Dwarka Courts, New Delhi

No.**10851-10922**/DJ/NK/DWK/2020/LKD

Dated: **31.07.2020**

Copy forwarded for information and necessary compliance to:

1. The Registrar General, High Court of Delhi, New Delhi.
2. All the Judicial Officers posted at District Courts Dwarka, New Delhi.
3. The Judge In-charge, Mediation Centre, Dwarka Courts, New Delhi.
4. Office of CMM(S-W), District Courts Dwarka, New Delhi.
5. The Sr. A.O. (Judl.), Dwarka Courts, New Delhi & Patiala House Court, New Delhi and In-charge, Judl. Branch/General Branch, Dwarka Courts, New Delhi.
6. The President/Hony. Secretary, DCBA, New Delhi.
7. The Chief Prosecutor, Prosecution Branch, Dwarka Courts, New Delhi.
8. The Commissioner of Police, PHQ, New Delhi.
9. The Concerned DCPs.
10. Reader to the Court of undersigned.

11. The Dealing Official, Computer Branch, Dwarka Courts to upload this Order on the Website of District Courts, Dwarka.
12. The In-charge, Facilitation Centre, In-charge Video Conferencing, Dwarka Courts, New Delhi.
13. The Dealing Official, Layers to upload this Order on the website of District Courts, Dwarka.
14. The Insp. Gen., Prisons, Tihar Jail, New Delhi.
15. The In-charge, Lock-up, Dwarka Courts, New Delhi.
16. The Caretaker, Dwarka Courts, New Delhi.

District & Sessions Judge (S-W)
Dwarka Courts, New Delhi