

A DELHI JUDICIAL SERVICE ASSOCIATION (REGD.)
v.
UNION OF INDIA THROUGH THE SECRETARY AND ORS.

JULY 7, 1997

B [K. RAMASWAMY AND D.P. WADHWA, JJ.]

C *Courts—Tis Hazari Courts—Shortage of accommodation—Writ petition filed in Supreme Court—Committee of three Advocates constituted—Their report that certain rooms are vacant—One room used by Revenue Department—Allowed to be retained by the Revenue Department—Other vacant rooms to be handed over to the Registrar of High Court within six weeks—District Judge to submit report to High Court on the amount required for setting up Courts in the rooms—Administrative Committee of Judges requested to finalise the estimate—Chief Justice of Delhi High Court requested to send the estimate to Government and Government to give sanction—CPWD to complete the work of repairs etc.—Time-limit fixed stage-wise.*

D CIVIL ORIGINAL JURISDICTION : Writ Petition (C) No. 741 of 1989

Under Article 32 of the Constitution of India.

E P.P. Rao, T.C. Sharma, Ajay Sharma, Neelam Sharma, Sunil Malhotra and Mr. J.K. Das for the petitioner.

F Arun Jaitley, A.S. Nambiar, A. Subhashini, Ashok Bhan, D.S. Mehra, D.N. Goburdhan, A.K. Srivastava, V.K. Verma, Vivek Sharma, Nanita Sharma, V.B. Saharaya, Raj Panjwani and Mr. Vijay Panjwani for the Respondents.

The following Order of the Court was delivered:

G By our Order dated May 5, 1997, we ordered constitution of a Committee of three advocates, namely, S/Shri P.P. Rao, Harish Salve and Arun Jaitley, learned senior counsel of this Court. The Committee was requested to visit the Tis Hazari Courts and to submit a report on the vacant rooms for being handed over, if directed by this Court, to the High Court for establishing the Courts. Pursuant to the above direction, the H members of the Committee visited the premises on 8th May, 1997 (instead

of 4th July, 1997, i.e., the date given for inspection) and have given the report. The report indicates that Room Nos. 346, 347, 354-A, 354-B, 359, 156, 145, 361, 361-B, 361-C, 361-D, rooms adjacent to Room Nos. 361, 274-A and 274-B are vacant. Though their report also indicates that Room No. 348 is vacant, in view of the assertion made by Mr. D.N. Goburdhan that this room is being used by the Tehsildar, we direct that Room No. 348 may be retained by the Revenue Department and rest of the rooms be handed over to the Registrar of the High Court within six weeks from today. On so being handed over, the District Judge of the Tis Hazari Courts should submit a report to the High Court on amount required for setting up the courts in the above rooms within four weeks from the date of taking the possession. The Registrar of the High Court is directed to place the matter before the Administrative Committee dealing with it. The learned Judges dealing with it are requested to finalise the estimate and then the learned Chief Justice is requested to submit it to the Government for appropriate administrative and financial sanction. The NCT is directed to give the requisite sanction within four weeks from the date of the receipt of the report. Thereafter, the Registrar is directed to hand it over to the CPWD for establishing the courts in the above rooms, which would have them complete within two months thereafter.

The Writ Petition is accordingly ordered.

Ms. A. Subhashini, learned counsel appearing for the High Court is directed to serve the notice by dasti to Mr. Arvind Kumar Sharma, learned counsel who is appearing for the Railway Administration for obtaining the necessary instructions. List the matter after two weeks in this behalf before a Bench of which Hon'ble Mr. Justice D.P. Wadhwa is a member.

G.N.

Petition disposed of.