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OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE (HQs)
TIS HAZARI COURT : DELHI

CIRCULAR

It has been brought to the notice of the undersigned that some of the Judicial Officers are not complying with the applicable Leave Rules i.e. **Delhi Higher Judicial Service (Leave) Rules, 2010** and **Delhi Judicial Service (Leave) Rules, 2011**, and the instructions contained in **letter No. 450/Gaz./P.F. dated 08/09.01.1986, No.456/ Gaz./P.F. dated 14.05.1999** and **No.5883/Gaz./P.F. dated 01.03.2004** of the Hon'ble High Court of Delhi letter (copy annexed).

It has been also observed that the Officers of Delhi Higher Judicial Service and Delhi Judicial Service posted in Central District are frequently applying for two days Medical (Commuted) / Earned leave instead of casual leave in the early part of the calendar year, 2023. Therefore, it is impressed upon all the Judicial Officers of Central District not to apply for two days Medical (Commuted) / Earned leave if they have more than two casual leave in their leave account and they should avail casual leave in such a manner that it is spread over the whole calendar year to meet any unforeseen exigencies. The application for Earned Leave should be submitted fifteen days in advance unless prevented by exigency completely unanticipated.

It is further impressed upon that 'leave cannot be availed as a matter of right' and all leaves should be taken in conformity with the applicable Leave Rules and the instructions of the Hon'ble High Court of Delhi, New Delhi as circulated time to time by this office.

2-2-23.
(GIRISH KATHPALIA)
Principal District & Sessions Judge (HQs)
Delhi

No. 7104-7274 /CD/SO/Gaz./2023

Dated, Delhi this 21 FEB 2023

Copy forwarded for information and necessary action to:-

1. All the Judicial Officers of DJS & DJS, Central District, Tis Hazari Court, Delhi including officers on deputation and diverted capacity.
2. The Director (Academics)/Chairperson (Officiating) Delhi Judicial Academy, Dwarka, New Delhi to circulate the same amongst newly appointed judicial officers (under training).
3. The CMA, Central, Tis Hazari Court, Delhi.
4. The SCJ/RC, Central, Tis Hazari Court, Delhi.
5. The P.S. to Principal District & Sessions Judge (HQs), Delhi.
5. The Reader to Principal District & Sessions Judge (HQs), Delhi.
- ✓ The Website Committee, English/Hindi, Tis Hazari Court, Delhi for uploading on website of Delhi District Court and LAWYERS.

Principal District & Sessions Judge (HQs)
Delhi

No. 450 /Gaz./P.F.

From :

The Registrar,
HIGH COURT OF DELHI,
New Delhi.



To :

The District & Sessions Judge,
DELHI.

New Delhi, dated the 8th January, 1986.

Sub:- GRANT OF LEAVE TO JUDICIAL OFFICER.

Sir,

I am directed to refer to the correspondence resting with this Court's communications noted

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| 1. Order No. 55/Gaz./P.F. Dt. 19.12.83 | in the |
| 2. Letter No. 2785/Gaz./PF Dt. 19.2.85 | margin |

on the above subject, and to say that the instructions contained therein are not being complied with strictly. It has been stated therein that no earned leave for less than 3 days should be applied unless there is extreme exigency. In case it becomes absolutely necessary to take earned leave for less than 3 days; the application should be supported by full reasons. The officers were asked ^{that} they should apply leave sufficiently in advance at least, fortnight and that in case of extreme urgency, permission of the High Court may be obtained on telephone before proceeding on leave. They were also emphasized that the medical leave should be supported by the requisite certificates from the authorized Medical Attendant as provided in leave rules and that they should not

Handwritten notes:
15/1/86
[Signature]

exhaust the casual leave in the first few months so that it could be availed for casual ~~for exigencies~~ and urgent nature of work throughout the year.

It has been found that applications are still being received for grant of earned leave for not only one to three days but also are received in this Court only a day or two before the date of leave applied for and many a times even after the leave had been availed. It is, therefore, necessary that applications for grant of earned leave should be submitted well in advance and the same should be forwarded to this Court immediately on their receipt, so that orders could be obtained thereon and communicated to the officers applying leave before the date they have to proceed on leave.

I am, therefore, to request you to impress upon the Judicial Officers once again that the leave cannot be claimed as of a right. They should apply well in advance, at least a fortnight, for the grant of earned leave and should not proceed on leave in anticipation of its sanction in due course. They should avail casual leave in such a manner that it is spread over the whole of the calendar year to meet any unforeseen exigencies. The earned leave in dribbles for a day or two for immediate

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and urgent-nature of work or brief illness is not advisable. It may also kindly be ensured that the applications for the grant of earned leave be forwarded to this Court well in advance, so ^{that} these could be granted to the concerned officer before the date ^{of} ~~they~~ proceed on leave and that the applications for the grant of commuted leave be forwarded to this Court after having been ensured that these are accompanied by the requisite medical certificates from an authorized medical Attendant to avoid unnecessary correspondence to get the formalities completed.

Yours faithfully,

Walter M. H.
R E G I S T R A R

No. 1486 / 1999

From

The Registrar
High Court of Delhi
New Delhi.



To

The District & Sessions Judge
Delhi.

New Delhi, dated the 14 May 1999.

Sir,

I am directed to refer to this Court's letter No.486/Gen./D/W dated 28h Jan., 1986 and the reminder dated 4.3.87 whereby it was impressed that the Judicial Officers should avail casual leave in a manner that it is spread over the whole of calendar year to meet any unforeseen exigencies or brief illness or urgent work etc and they should avoid taking regular leave for a day or two in dribsles for the purpose. However it has been noticed that these instructions are not being adhered to scrupulously and there have been number of instances in the year 1998 where after exhausting all the 17 days casual leave in the early part of the year, officers have both regularly and repeatedly availed earned leave in dribsles for a day or two on account of urgent work or brief illness etc in disregard of the aforesaid instructions, which not only disorganizes regular Court work but also results in undertaking of avoidable lengthy administrative procedure for the grant of earned leave for such exceptional. A list of the Judicial Officers who availed earned leave in dribsles during the year 1998 is enclosed herewith. The Hon'ble the Acting Chief Justice and Hon'ble Judges of this Court have taken a seri view of the matter and have been pleased to direct that these instructions, in future, be complied with strictly and non-compliance thereof would be viewed seriously.

Accordingly, I am directed to request you that the instructions issued vide this Court's letter No.486/Gen./D.W. dated 28h Jan., 1986 may be circulated again to all the Judicial Officers for strict compliance and they may be informed that non-compliance thereof would be viewed seriously.

Action taken may be intimated to this Court.

Yours faithfully,

REGISTRAR

Handwritten notes and signatures on the left margin, including a signature dated 17/5/99.

MOST IMMEDIATE
OUTPUT ONCE

No. 5883 /Gaz.P.P.



The Registrar(Vigilance),
High Court of Delhi,
New Delhi

To: The District & Sessions Judge,
Delhi.

New Delhi, dated the 1 ^{March} / February, 2004.

Sub: Grant of 1 or 2 days' commuted leave to Judicial Officers.

Sr.

I am directed to say that Hon'ble the Chief Justice and Hon'ble Judges of this Court have observed that the Judicial Officers are availing commuted leave for 1 or 2 days frequently, which is not a healthy practice and should be discouraged. Their Lordships have directed that the Judicial Officers should not take commuted leave for 1 or 2 days, and instead take casual leave in such circumstances.

I am, accordingly to request you to issue necessary instructions on the subject for compliance.

Yours faithfully,


(R.K.AHLUWALIA)
REGISTRAR(Vigilance)

