

Most Urgent/Out at once

OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE (HQ): DELHI

No. ~~16352~~ ¹⁶⁴⁵² Genl./HCS/2023


Dated, Delhi the _____

03

Sub: Circulation of copy of letter dated 20.04.2023 alongwith its enclosures received from the Registrar General regarding Summoning of the Record of SLP(C) 1461 of 2015 for information and necessary compliance.

A copy of the letter no. 2740-2752/DHC/Gaz./G-2/Judgment/2023 dated 28.04.2023 bearing diary no. 1138 dated 01.05.2023 alongwith copy of letter dated 20.04.2023 of Ld. Registrar, Supreme Court of India and its cncls. received from the Registrar General, Hon'ble High court of Delhi, in the abovesaid matter, is being circulated for information and necessary compliance to :-

1. All the Ld. Judicial Officers posted in Central District, Tis Hazari Courts, Delhi.
2. The Ld. Registrar General, Hon'ble High Court of Delhi, New Delhi for information.
3. PS to the Ld. Principal District & Sessions Judge (HQs), Tis Hazari Courts, Delhi for information.
4. The Chairman, Website Committee, Tis Hazari Courts, Delhi with the request to direct the concerned official to upload the same on the Website of Delhi District Courts.
5. The Director (Academics), Delhi Judicial Academy, Dwarka, New Delhi for information as requested vide letter no.DJA/Dir.(Acd)/2019/4306 dated 06.08.2019.
6. Dealing Assistant, R&I Branch for uploading the same on LAYERS.
7. For uploading the same on Centralized Website through LAYERS.


(RAKESH PANDIT)

Officer-in Charge, Genl. Branch, (C)
Addl. District & Sessions Judge,
Tis Hazari Courts, Delhi

Encls. As above.

IN THE HIGH COURT OF DELHI AT NEW DELHI

No. 2740-2752 /DHC/Gaz/G-2/Judgment/2023

Dated 28th, April, 2023.

From:

The Registrar General,
High Court of Delhi,
New Delhi-110003.



To,

1. The Principal District & Sessions Judge (HQ), Tis Hazari Courts Complex, Delhi.
2. The Principal District & Sessions Judge (South), Saket Courts Complex, New Delhi.
3. The Principal District & Sessions Judge (North-West), Rohini Courts Complex, Delhi.
4. The Principal District & Sessions Judge (New Delhi), Patiala House Courts Complex, New Delhi.
5. The Principal District & Sessions Judge (East), Karkardooma Courts Complex, Delhi.
6. The Principal District & Sessions Judge (North), Rohini Courts Complex, Delhi.
7. The Principal District & Sessions Judge (South-West), Dwarka Courts Complex, New Delhi.
8. The Principal District & Sessions Judge-cum-Special Judge (PC Act) (CBI), RACC, New Delhi.
9. The Principal District & Sessions Judge (South-East), Saket Courts complex, Delhi.
10. The Principal District & Sessions Judge (North-East), Karkardooma Courts Complex, Delhi.
11. The Principal District & Sessions Judge (West), Tis Hazari Courts Complex, Delhi.
12. The Principal District & Sessions Judge (Shahdara), Karkardooma Courts Complex, Delhi.
13. The Principal Judge (HQ), Family Courts, Dwarka, New Delhi.

Sub: **Summoning of the Record of SLP(C) 1461 of 2015**

Sir/ Madam,

I am directed to refer to this court's letter no. 1550-58/DHC/Gaz/G-X/Instructions/2010 dated 26.05.20210 (copy enclosed), and to say that the directions conveyed in the said letter are not being followed up by the Subordinate Courts of Delhi.

I am further directed to forward herewith a copy of letter dated 20.04.2023 along with its enclosures received from the Registrar, Supreme Court of India, on the above subject, and to once again request you to ask the Judicial officers working under your respective control to henceforth instead of sending summons, send a letter of request to the Head of Office for the purpose of summoning of record from superior courts.

Genl. Br. | Judl. Br.

Encl: As above.

M
P.O. of SJC (Hos)
01/05/23

Yours faithfully,

Ravinder Dubeja
(Ravinder Dubeja)
Registrar General.

2

DELHI HIGH COURT : NEW DELHI

No. 1350-58/DHC/Gaz/G-X/Instructions/2010

From

The Registrar General,
Delhi High Court,
New Delhi.

To

1. The District Judge I & Sessions Judge,
Tis Hazari, Delhi.
2. The District Judge VI-cum-ASJ I/C(East),
Karkardooma, Delhi
3. The District Judge IX-cum-ASJ I/C(South-West & Airports),
Dwarka, New Delhi.
4. The District Judge V-cum-ASJ I/C(South),
Patla House Court, New Delhi.
5. The District Judge VIII-cum-ASJ I/C(North West & Outer),
Rohini, Delhi.
6. The District Judge II-cum-ASJ I/C(West),
Tis Hazari, Delhi.
7. The District Judge IV-cum-ASJ I/C (New Delhi),
Patla House Court, New Delhi.
8. The District Judge VII-cum-ASJ I/C(North East),
Karkardooma, Delhi
9. The District Judge II-cum-ASJ I/C(North),
Tis Hazari, Delhi.

New Delhi, dated the 2nd May, 2010.

Sub : Instructions regarding summoning of record from superior courts.

Sir/Madam,

I am directed to forward herewith copy of letter dated 18.5.2010 received from the Registrar, Supreme Court of India, on the above subject and to say that all judicial officers under your control may be asked to henceforth send a letter of request to the Head of Office for the purpose of summoning of record from superior courts.

Yours faithfully,


(Rakesh Kapoor)
Registrar General

Deepak Jain
Registrar
Supreme Court of India



Tel.: 23112506

2

By Special Messenger

Dated :- 20th April, 2023

From:-

REGISTRAR
SUPREME COURT OF INDIA
NEW DELHI

To

The Registrar General
Delhi High Court
New Delhi-110003

Ref:- Summoning of the Record of SLP(C) 1461 of 2015

Respected Sir,

I am directed to invite your attention to the summons dated 12.04.2023 received from Learned Senior Civil Judge/Rent Controller, South Saket Court Complex, New Delhi requiring the Dealing Assistant of Record Room Section of this Court, to appear before the said Court on 25.04.2023 at 10.00 A.M along with the complete records of this Court in SLP(C) No. 1461 of 2015. A copy of this summons so received is enclosed for ready reference.

It may be stated that the record summoned is the record of this Hon'ble Court. When a summons is issued by an inferior Court calling for production of record in the custody of superior court propriety demanded that a letter of request was sent to the Head of Office of the said superior court rather than sending the summons in the prescribed form. When a similar instances noticed earlier, the Hon'ble Chief Justice of India directed to address the Registrar General of the concerned High Court pointing out the impropriety involved in sending the summons in the prescribed form to the superior court for production of the record of that court and for instructing the presiding officer of the subordinate court to send a letter of request for the production of the record. The same has already been requested to the then I.d. Registrar General High Court of Delhi by Letter dated 18.05.2010 (copy annexed herewith for ready reference), but still the subordinate courts are not

4

following the directions of the Hon'ble Chief Justice of India regarding production of the Records of this Hon'ble Court.

In the above circumstances, I am to request you to give appropriate instructions to the Presiding Officer of the Subordinate Courts so that repetition of such instances of summoning the record of the superior court by simply sending the summons in the prescribed form, rather than sending a letter of request to the Head of Office of the Superior Court, could be avoided in future.

Yours faithfully

REGISTRAR(J-IV)

5

136

By Sp. Secy

E/C

134

Dated: 18th May, 2010

From:-

REGISTRAR
SUPREME COURT OF INDIA
NEW DELHI

To

[Handwritten signature]
at 3:45 PM
19/05/10
Sir,

The Registrar General
Hon'ble Delhi High Court
New Delhi-110003

Ref: Summoning of the Record of Arbitration Petition No. 15
of 2006 & Review Petition (C) No.752 of 2007

I am directed to invite your attention to the summons dated 10.5.10 received from the learned Metropolitan Magistrate, Patiala House Court, New Delhi requiring the Dealing Assistant of Section XVIA of this Court to appear before the said Court on 14th May, 2010 at 10.00 A.M. along with complete records of this Court in Arbitration Petition No. 15/06 and Review Petition (C) No.752 of 2007. A copy of the summons so received is enclosed for ready reference. It may be stated that the record summoned is the record of this Hon'ble Court. When a summons is issued by an inferior court calling for production of record in the custody of superior court, propriety demanded that a letter of request was sent to the Head of Office of the said superior court rather than sending the summons in the prescribed form. When a similar instance was noticed earlier, the Hon'ble Chief Justice of India directed to address the Registrar General of the concerned High Court pointing out the impropriety involved in sending the summons in the prescribed form to the superior court for production of the

contd...2/

6

- 2 -

record of that court and for instructing the presiding officer of the subordinate court to send a letter of request for the production of the record.

In the above circumstances, I am to request you to give appropriate instructions to the Presiding Officer of the Subordinate Courts so that repetition of such instances of summoning the record of the superior court by simply sending the summons in the prescribed form, rather than sending a letter of request to the Head Office of the superior court, could be avoided in future.

Yours faithfully


REGISTRAR (J-1)

Encl: as above.

7

| | | |
|--------------------------|------------|--|
| DATE OF ORDER | 07.02.2023 | NAME OF PROCESS SERVER श्री संतोष कुमार सिंह Sh. Santosh Kumar Singh राजेश शर्मा Senior Civil Judge-cum Senior Controller (South) राजेश शर्मा Room No: 01 Saket Court Complex, New Delhi |
| DATE OF FILING OF P.F. | 12.04.2023 | |
| DATE OF ISSUE | 12.04.2023 | |
| NO. OF DOCUMENTS ANNEXED | 03 pages | NUMBER OF PROCESSES |
| NEXT DATE OF HEARING | 25.04.2023 | DATE OF RETURN |

SUMMONS TO WITNESS
(Order XVI, Rules 1 & 5 of the Code of Civil Procedure)
In the Court of Sh. Santosh Kumar Singh, SCJ-cum-RC (South),
Court No. 01, Saket Courts, New Delhi

696
Summons
17.4.23

RC ARC- 6285/2016

Pawan Kishore

Petitioner

Vs

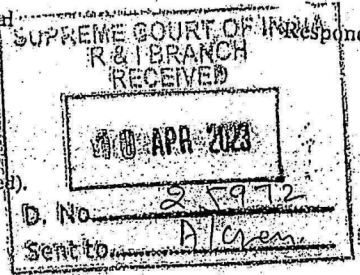
Subhash Nagpal

Respondent

3601

To,

Concerned Clerk from the,
Hon'ble Supreme Court of India, New Delhi
(Along with the documents as per list annexed).



Whereas your attendance is required to give evidence / witness on behalf of the Petitioner in the above suit, you are hereby required (personally) to appear before this Court on the Dt. 25.04.2023 at 10.00 A.M. and to bring with you (or to send to this Court) :

A sum of Rs. being your travelling and other expenses and subsistence allowance for one day, is herewith sent. If you fail, to comply with this order without lawful excuse, you will be subject to the consequence of non-attendance laid down in Rule-12 of Order XVI of the Code of Civil Procedure, 1908.

Given under my hand and the seal of the Court this 12th April, 2023.



Senior Civil Judge (South)
Saket Court Complex

NOTE: (1) If you are summoned only to produce a document and not to give evidence you shall be deemed to have complied with the summons if you cause such document to be produced in this Court on the day and hour aforesaid.
(2) If you are detained beyond the day aforesaid, a sum of Rs. will be tendered to you for each day's attendance beyond the day specified.

- b. Clerk Concerned from the office of Department of Delhi Archives (Govt. Of NCT of Delhi), 18-A, Satsang Vihar Marg, Spl. Institutional Area, New Delhi-110067 with the entire record pertaining to the sale deed dated 05.04.1950, vide registration number 786 in book no. I, vol. 150 on page 268 to 273.
- c. Clerk Concerned from Translation India, off add. K-40, B.K. Dutt Colony, Lodhi Road, New Delhi-110003 with translation of the sale deed dated 05.04.1950, vide registration number 786 in book no. I, vol. 150 on page 268 to 273.
- d. Clerk Concerned from the office of Department of Delhi Archives (Govt. Of NCT of Delhi), 18-A, Satsang Vihar Marg, Spl. Institutional Area, New Delhi-110067 with the original record pertaining to the partition deed dated 05.05.1960 vide registration no.946, in book no. I, Vol. 436 on page 271 to 281.
- e. Clerk concerned from Info Lingua, Off Add. K-42, B.K. Dutt Colony, Lodhi Road, New Delhi-110003.

E. Registered vide registration no. 7860, Book no.1,
Vol. no.3543, starting from page no. 66 to 73. dated
.06.09.2003.

g. Clerk Concerned from record room, west Dist. Tis
Hazari Courts, Delhi with the judicial file of civil suit
no.569/2012 titled as "Pawan Kishore Vs. Darshan Lal
Malik" Decreed by the court of Sh. Sushant Changotra,
Ld. Civil Judge, Tis Hazari Courts, Delhi vide judgment
and decree dated 24.08.2013.

h. Clerk Concerned from the Record Room of Hon'ble
Delhi High Court with the judicial file of RSA
no.215/2014 titled as "Sh. Darshan Lal Vs. Sh. Pawan
Kishore" Decided by the court of Hon'ble Mr. Justice
Sunil Gaur vide order dated 15.10.2014.

i. Clerk Concerned from the Record Room of Hon'ble
Supreme Court with the judicial file of SLP
no.1461/2015 titled as "Sh. Darshan Lal Vs. Sh. Pawan
Kishore" Decided by the court of Hon'ble Mr. Justice

ITEM NO. 24

COURT NO. 9

SECTION XVI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s) : 1461/2015

(Arising out of impugned final judgment and order dated 15/10/2014 in RSA No. 215/2014 passed by the High Court Of Delhi At New Delhi)

DARSHAN LAL MALIK

Petitioner(s)

VERSUS

PAWAN KISHORE

Respondent(s)

(with appln. (s) for exemption from filing c/c of the impugned judgment and interim relief and office report)

Date : 09/02/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.Y. EQBAL
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s)

Mr. Kaushal Yadav, Adv.
Mr. Nand Lal Kumar Mishra, Adv.

For Respondent(s)/
Caveator

Mr. Anurag Pandey, Adv.
Ms. Reena Pandey, Adv.
Mr. G.R. Chaubey, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The special leave petition is dismissed.

(Sukhbir Paul Kaur)
Court Master

(Indu Pokhriyal)
Court Master

Signature Not Verified
Digitally signed by
Sukhbir Paul Kaur
Date: 2015.02.10
14:05:07
Reason: