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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 2205/2015

DESH KUMAR KATHURIA & ANR

..... Petitioners

Through: Counsel for the petitioners
(appearance not given).

versus

GOVT. OF NCT OF DELHI & ORS

..... Respondents

Through: Mr Pankaj Sinha and Ms Jubli
Momalia, Advocates for R-1 & 4.
Mr Naushad Ahmed Khan, ASC,
GNCTD with Ms Ritu Kumari,
Advocate for GNCTD.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **06.11.2017**

1. The petitioners have filed the present petition, *inter alia*, praying as under:-

- “a) Issue an order of writ of mandamus directing the Respondents to coordinate amongst themselves and produce serially numbered index of Book 1 and make it available to the petitioner for inspection or alternatively.
- b) Issue an order of writ of mandannus directing the appropriate authority to coordinate and produce the registration details qua the property bearing No 59/24, New Rohtak Road, New Delhi.”

2. The petitioners seek registration details pertaining to the property bearing no.59/24, New Rohtak Road, New Delhi during the years 1957-

1964. Admittedly, the said details and documents have been received by respondent no.5 (Department of Delhi Archives). Further, respondent no.5 has no objection to handover the copies of the documents sought by the petitioner. However, the only difficulty is that the said documents are not traceable. Admittedly, the petitioner no. 1 was granted inspection of the documents but was not able to find the same as the documents have not been indexed. This petition brings out the dismal state in which the records have been preserved by the respondents. Although, respondent no.5 is charged with the function of preserving records, it is clearly failing in performance of its function as there is no indexing or any other manner of accessing the records entrusted with respondent no.5.

3. Mr Naushad Ahmed Khan, learned counsel appearing for the respondents submits that all documents prior to 1967 have already been transferred to respondent no.5 or are in the process of being transferred to respondent no.5. He further states that respondent no.5 has already taken up the task of indexing and scanning of documents in order to ensure that the same are readily accessible. He states that almost 10 lakhs documents have already been scanned and indexed in the past two months and this process will continue till all records are duly scanned and indexed. In view of the above statement, no further orders need to be passed in this petition except to direct the respondents to provide copies of the documents as desired by the petitioners as and when the same are traced out. The petitioners are also at liberty to approach respondent no.5 to ascertain the progress of work of scanning and indexing being carried out.

4. It is expected that the respondent no. 5 would make significant progress within a period of six months and the documents sought for by the

petitioners would be made available to them. In the event, significant progress is not made within a period of six months as indicated, the petitioners are at liberty to apply.

5. The petition is disposed of with the above observations.

VIBHU BAKHRU, J

NOVEMBER 06, 2017
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