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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 105/2024 & CM APPL. 468/2024, CM APPL. 15631/2024,**
CM APPL. 23869/2024
CA RAKESH KUMAR GUPTAPetitioner

Through: Petitioner in person.

versus

DELHI HIGH COURT THROUGH REGISTRAR GENERAL

.....Respondent

Through: Mr. Gaurav Dhama and Ms. Malvika
Raghavan, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

08.07.2024

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1. The Petitioner, CA Rakesh Kumar Gupta, has filed the present petition seeking following reliefs:

*“(a) dispose Petitioner request of get complete case records under E inspection facility ,
(b) to get complete case records under E inspection facility
(c) Hon’ble DHC send complete case records to Hon’ble SCI in pending case ,
(d) Correct the Judicial Records keeping procedure in Delhi High Court,
(e) Complete Judicial records in time bound time table
(f) Kindly advise administrative side of Honourable Court to take such appropriate actions, as the Honourable Court deems fit under the circumstance.”*

[sic.]

2. The case of Petitioner is that he had requested the records of



CONT.CAS.(CRL) 4/2015¹ on 13th October, 2023, under e-inspection facility, which he received on 17th October, 2023. Pursuant thereto, the Petitioner submitted a representation whereby he indicated that the record was incomplete and did not include certain documents, including the final order dated 31st August, 2017. He also pointed out that this incomplete case pleading had been sent to the Supreme Court of India in the case pending there, being CRL.A. 1050/2018².

3. Further, the Petitioner states that his request dated 18th October, 2023, for inspection of the case file of FAO 264/2023³, was not allowed on the ground that the same had not been a decided case and the Petitioner was not a party to the same. This is argued to be erroneous, as the final judgment in the said case was pronounced on 17th October, 2023, however, the same had not been placed in the judicial file when his e-inspection request was disallowed on account of the Registry's delays in updating the files.

4. The Respondent, Registrar General of Delhi High Court, has filed status reports dated 28th February, 2024 and 5th July, 2024. The Respondent states that the electronic case record in relation to CONT.CAS.(CRL) 4/2014 has already been transmitted to the Supreme Court of India through despatch letter No. 27411-X dated 12th September, 2018. It is emphasised that no communications/ letters have been received from the Supreme Court notifying the Respondent that the records received by them are incomplete. Respondent further places reliance on order dated 07th December, 2018 in CRL.A. 1050/2018, which they have annexed to the status report, whereby the Supreme Court has recorded that the original records have been received.

¹ Titled '*Court On Its Own Motion v. Rakesh Kumar Gupta*'

² Titled '*Rakesh Kumar Gupta v. Court on its own motion*'

³ Titled '*Raghav Chadha v. Rajya Sabha Secretariat*'



Nonetheless, Respondent points out that they have re-sent the soft data relating to CONT.CAS.(CRL) 4/2015, once again on 2nd May, 2024. A copy of the despatch letter has also been enclosed with their status report.

5. In view of the above, it emerges that Pages 383 to 388 of the soft data relating to CONT.CAS.(CRL) 4/2015, which the Petitioner contends to not have been included in the records sent to the Supreme Court, have now been re-sent in terms of the despatch done on 02nd May, 2024. Accordingly, in the opinion of the Court, no further directions are required to be passed in this regard. Be that as it may, Respondent is directed to confirm the record, and in case any pages are left out, they are directed to transmit the same to the Supreme Court of India, within a time bound manner.

6. This brings us to the second grievance of the Petitioner, relating to the e-inspection of case file of FAO 264/2023. The Respondent has pointed out that the status of judgment in FAO 264/2023 was reflected as 'Reserved' as per Delhi High Court records. Moreover, since Petitioner was neither a party to the proceedings nor is he an authorized agent for a party in FAO No. 264/2023, he was not an 'Applicant' in accordance with Section 2(1)(a) of the Delhi High Court Notification No. 60/Rules/DHC dated 18th July, 2023. Consequently, Petitioner's e-inspection application was rejected by the concerned dealing assistant on 18th October, 2023. However, it is pointed out that FAO 264/2023 has now been finally decided and Petitioner can be permitted for e-inspection. Thus, it is directed that in case such a request is made by the Petitioner and the same is found to be in order, Respondent shall grant permission for inspection.

7. The final grievance agitated by the Petitioner pertains to the alleged systematic defect in the e-inspection facility. The Petitioner contends that the



Court's orders are not available for e-inspection until the next date of hearing, and also that documents filed in compliance of any order are not added to the soft file available for e-inspection. In response, Respondent has pointed out that data updated for the purposes of the last date of hearing is made available on the e-inspection facility. Respondent has clarified that standard procedure which is being followed is that the case files are only updated 2-3 days prior to the next date of hearing and not before, unless specifically directed by the Court. However, the complete record of a case file is updated immediately in case physical inspection is requested, and all orders are also available for perusal on the website of High Court of Delhi.

8. In light of the above, in the opinion of the Court, no further directions are necessary except for those issued above.

9. Accordingly, the present petition is disposed of, along with pending applications.

SANJEEV NARULA, J

JULY 8, 2024
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