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

+ W.P.(C) 4921/2021

COURT ON ITS OWN MOTION

..... Petitioner

Through:

versus

STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Through: Mr. Santosh Kumar Tripathi, ASC,
GNCTD with Mr. Aditya P. Khanna,
Advocate.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE TALWANT SINGH

ORDER

20.04.2021

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The matter has been placed before the Full Bench by Honourable the Chief Justice in the light of the order dated 19.04.2021, passed by the Division Bench in the present Writ Petition. The order dated 19.04.2021 reads as follows:

“In view of the alarming resurgence of Covid-19, the functioning of this Court is restricted only to extremely urgent matters vide Office Order No.1/R/RG/DHC/2021 dated 18.04.2021 with effect from 19.04.2021. The said Office Order reads as follows:

“In continuation of this Court’s Office Order No.223/RG/DHC/2021 dated 8.4.2021, keeping in view the alarming rise in the Covid-19 cases in the NCT of Delhi, it has been ordered that all the Hon’ble Benches of this Court shall, with effect from 19.04.2021, take up

extremely urgent matters filed in the year 2021 only. It has been further ordered that the other pending routine/ non-urgent matters and the matters filed/ listed before this Court between 22.3.2020 and 31.12.2020 shall not be taken up by this Court and such matters shall be adjourned “en bloc” as per the dates already notified. In case of any extreme urgency, the request in the pending matters may be made on the already notified designated link”.

The GNCTD has imposed a curfew vide order passed today w.e.f 10:00 p.m, of 19.04.2021, whereunder strong measures have been enforced to prevent the spread of Covid-19 upto 26.04.2021.

In view of the curfew imposed by the GNCTD, and the extremely limited functioning of Courts, the routine matters would be adjourned en-bloc to the dates to be notified. Consequently, the advocates and the litigants would not be in a position to appear in the said matters, including those where stay, bail, parole have been granted by this Court, or the Courts Subordinate to this Court on or before 19.03.2021. As a result, interim orders operating in favour of the parties would start expiring on and from 19.04.2021.

Faced with a similar situation last year, Hon’ble the Chief Justice of this Court suo motu initiated W.P. (C) No.3037/2020, titled Court on its Own Motion v. State & Ors. – In Re: Extension of Interim Orders, for dealing with the aforesaid crisis. The same was listed before a Full Bench headed by Hon’ble the Chief Justice.

We are of the view that the situation which has now arisen requires similar response. Accordingly, we direct the registration of the present Petition as suo motu Writ Petition. The same be listed before Hon’ble the Chief Justice for constitution of an appropriate bench and for passing appropriate orders therein.”

Taking suo moto cognizance of the aforesaid extraordinary circumstances, under Article 226 & 227 of the Constitution of India, it is hereby ordered that in all matters pending before this court and courts

subordinate to this court, wherein such interim orders issued were subsisting as on 19.04.2021 and expired or will expire thereafter, the same shall stand automatically extended till 16.07.2021 or until further orders, except where any orders to the contrary have been passed by the Hon'ble Supreme Court of India in any particular matter, during the intervening period.

Needless to clarify that in case, the aforesaid extension of interim order causes any hardship of an extreme nature to a party to such proceeding, they would be at liberty to seek appropriate relief, as may be advised.

This order be uploaded on the website of this Court and be conveyed to all the Standing Counsel, UOI, GNCTD, DDA, CIVIC AUTHORITIES, Delhi High Court Bar Association, and all other Bar Associations of Delhi, as well as to all District Courts subordinate to this Court.

List on 16.07.2021.

VIPIN SANGHI, J

REKHA PALLI, J

TALWANT SINGH, J

APRIL 20, 2021
N.Khanna