

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

**W.P. URGENT2 /2020 (To Be Numbered Subsequently)**

**COURT ON ITS OWN MOTION**

IN RE:

Extension Of Interim Orders

**CORAM:**

**HON'BLE THE CHIEF JUSTICE**

**HON'BLE MR. JUSTICE SIDDHARTH MRIDUL**

**HON'BLE MR. JUSTICE TALWANT SINGH**

**ORDER**  
**25.03.2020**

In view of the outbreak of COVID-19, the functioning of this Court is restricted only to urgent matters vide Notification No.51/RG/DHC/dated 13.03.2020.

Such restricted functioning has been in place from 16.03.2020 and has been extended till 04.04.2020.

On 24.03.2020, the Government of India has issued order No.40-3/2020-DM-1(A) whereunder strong measures have been enforced to prevent the spread of COVID-19 and a nationwide lockdown has been declared for a period of 21 days w.e.f. from 25.03.2020.

In view of the lockdown in the State of Delhi and the extremely limited functioning of courts, routine matters have been adjourned en bloc to particular dates in the month of April. Thus advocates and litigants have not been in a position to appear in the said matters, including those where stay/bails/paroles have been granted by this Court or the courts subordinate to this Court, on or before 16.03.2020. As a result, interim orders operating in favour of parties have expired or will expire on or after 16.03.2020.

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 16.03.2020 and expired or will expire thereafter, the same shall stand automatically extended till 15.05.2020 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, all the other Bar Associations of Delhi, as well as to all District Courts subordinate to this court.

**CHIEF JUSTICE**

**SIDDHARTH MRIDUL, J**

**TALWANT SINGH, J**

**MARCH 25, 2020**

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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**WRIT PETITION URGENT 2 OF 2020 (TO BE NUMBERED**  
**SUBSEQUENTLY)**

**COURT ON ITS OWN MOTION**

**IN RE: Extention of Interim Orders**

**CORAM:**

**HON'BLE THE CHIEF JUSTICE**  
**HON'BLE MR.JUSTICE A.A.SAYED,**  
**HON'BLE MR.JUSTICE S.S.SHINDE**  
**HON'BLE MR.JUSTICE K.K.TATED**

**P.C.**

**ORDER**

**26.03.2020**

1 The Bench of four Judges of this court is constituted in emergent situation considering the outbreak of COVID-19 and consequential lockdown.

2 Mr.Asif I. Patel, Addl. G.P., Mr.B.V.Samant, A.G.P. And Mr.Shahajirao Shinde, A.P.P., are present. Efforts are on to contact office of the learned Additional Solicitor General.

3 Our attention has been invited to orders passed by the High Court of Delhi on 25.03.2020 in W.P. URGENT2/2020, Order of High Court of Kerala at Ernakulam in W.P. (C) No.9400 of 2020 (Suo Motu) on same date and Order of High Court of Karnataka at Bengaluru dated 24.03.2020 in Writ Petition No.6435 of 2020.

4 This court has today received a letter sent by five Senior Advocates namely Mr.Janak Dwarkadas, Ms.Rajani Iyer, Mr.Anil Anturkar, Mr.Mihir Desai and Ms.Gayatri Singh requesting as under:

*1. That the modalities of affirming Petitions are modified to dispense with the personal presence of the Petitioner to sign and affirm the Petition particularly in Public Interest Litigation on appropriate undertakings.*

*2. That the modalities of Filing Petitions are modified to allow for e-filings.*

*3. The hearing of the Petitions be undertaken regularly, through video conferencing for the safety and protection of all associated with the exercise.*

*4. That the grievances of poor and marginalised are given priority and with sensitivity for effective redressal.*

5 The Registry informs us that matters are being entertained even if presented directly in court without affidavit or court fee. No procedural issues / objections are being raised. Facility of e-filing is already available and hearing through video conferencing can also be availed, as that arrangement has already been made since last about

one week.

6 The urgent matters on request are being attended to and parties can make request for urgent hearing through emails or other modes. Two courts are already notified for hearing of such matters, the dates of sitting are also notified. Registry also inform us that in extreme urgent matters, even at eleventh hour, parties can move court for appropriate interim order.

7 As the lock down is now declared till 14.04.2020, normal working of this court at least till then is not possible. As the staff is not available, files cannot be made over to court. As local transport is shut down, lawyers and litigants are finding it difficult to approach the court.

8 In this situation, we find it appropriate to continue all interim orders which are operating till today and are not already continued by some other courts / authority including this court and the same shall remain in force till 30.04.2020, subject to liberty to parties to move for vacation of interim orders only in extreme urgent cases. Thus, all interim orders passed by this High Court at Mumbai, Aurangabad, Nagpur and Panaji as also all courts/ Tribunal and authorities subordinate over which it has power of superintendence expiring before 30.04.2020, shall continue to operate till then. It is clarified that such interim orders which are not granted for limited duration and therefore, are to operate till further orders, shall remain unaffected by this order.

9 Orders or decree for eviction, dispossession, demolition already passed by any court/Tribunal/Authority shall also remain in abeyance till then.

10 Considering the prevalent shut down and other issues, we hope that Government as also municipal authorities and other agencies or instrumentalities shall also be slow in taking any coercive steps so as to drive the citizen to court of law in the meantime.

11 This order be published on the official website of this court and its copy shall also be forwarded to all concerned.

**HON'BLE THE CHIEF JUSTICE**

**HON'BLE MR.JUSTICE A.A.SAYED,**

**HON'BLE MR.JUSTICE S.S.SHINDE**

**HON'BLE MR.JUSTICE K.K.TATED**

**Suo Motu W.P.No.7413 of 2020**

(Based on the letter of the Hon'ble Chief Justice, High Court,  
Madras dated 26<sup>th</sup> March, 2020)

**M.SATHYANARAYANAN, J.**

**AND**

**ABDUL QUDDHOSE, J.**

(Order of the Court was made by **M.SATHYANARAYANAN, J.**)

There may have been many cases in the High Court as well as in the Subordinate Courts and Tribunals under the superintendence of the High Court with limited interim orders operating as on 20<sup>th</sup> March, 2020. There is every likelihood that some of these interim orders, that were not until further orders, may be expiring on 20<sup>th</sup> March, 2020 or even thereafter being limited in nature.

In the wake of the public announcement of the Government of India of complete lockdown in the entire nation, accessibility to courts and tribunals on account of their extreme limited functioning have caused inconvenience to the litigants and the lawyers alike. Lawyers and litigants are not in a position to conveniently appear in their matters and with the complete lockdown announced with effect from the midnight of 24<sup>th</sup> / 25<sup>th</sup> March, 2020, it has become difficult for the citizens to approach the courts of law to take recourse to legal remedies. Requests have been received on the judicial side for extension of interim orders that are expiring and also for extending the time period for vacating the premises in eviction matters. To ensure that citizens are not deprived of the fruits of the interim orders granted by the High Court,



subordinate courts or the tribunals, as the case may be, on account of their inability in the present situation to approach the respective forums, it would be appropriate for the passing of a suitable judicial order in this regard. Therefore, the following directions are issued for the present:

1. In exercise of the powers under Art.226 and Art.227 of the Constitution of India read with Sec.482 and Sec.483 of CrPC, keeping in view the extraordinary situation which has arisen, it appears appropriate to undertake extraordinary remedies by issuing certain directions in order to ensure the smooth administration of justice and prevent any form of obstruction or miscarriage of justice.
2. All interim orders passed by the High Court at Madras – Principal Bench that were subsisting as on 20<sup>th</sup> March, 2020 may stand extended till 30<sup>th</sup> April, 2020 unless vacated or modified earlier or until further orders of the Court unless specifically dealt with by any judicial order to the contrary.
3. All orders of eviction, dispossession or demolition which have not been executed till date on the orders of the High Court, District Courts or the Civil Courts, the same shall remain in abeyance till 30<sup>th</sup> April, 2020 unless vacated or modified earlier by any judicial order passed by the appropriate forum by which it was issued.
4. All orders passed by the Courts exercising criminal jurisdiction having granted bail, anticipatory bail or parole etc., for a limited period which are likely to expire on or before 30<sup>th</sup> April, 2020 shall stand extended till

30<sup>th</sup> April, 2020 subject to any orders passed by the said forums even before the said expiry date or thereafter to enable the respective courts to deal with any abuse of the orders of the concerned party.

5. The aforesaid directions may be subject to any orders to the contrary having been passed by the Hon'ble Supreme Court of India in any particular matter.
6. It can also be clarified that in case the extension of the interim orders causes undue hardship of any extreme nature to any of the parties to such proceedings or a matter of extreme urgency being indicated by the State or its authorities, they would be at liberty to seek appropriate relief as may be advised.
7. Such interim orders or directions which are not of a limited duration shall continue to operate and will remain unaffected.
8. General encroachment drives, State revenue recovery measures, proceedings relating to demolition and eviction and other actions that are likely to give rise to an immediate litigation in the High Court may be kept temporarily in abeyance subject to any measures for which advise may be sought from the learned Advocate General.

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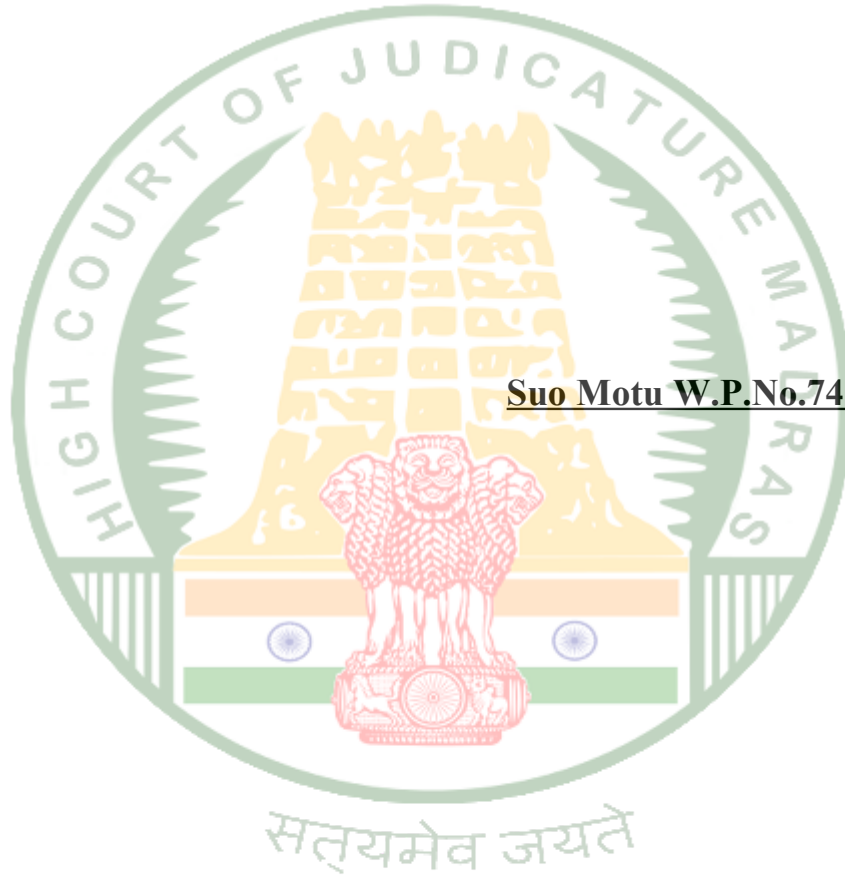
[M.S.N., J.] [A.Q., J.]  
26<sup>th</sup> March, 2020

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Suo Motu W.P.No.7413 of 2020

**M.SATHYANARAYANAN, J.**  
**AND**  
**ABDUL QUDDHOSE, J.**

Jvm



**Suo Motu W.P.No.7413 of 2020**

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**26<sup>th</sup> March, 2020**