

Action Plan for Arrears Reduction in Delhi High Court

INTRODUCTION

“The Committee for Model Case Flow Management Rules for Trial Courts, District Appellate Courts, High Courts and to suggest a plan for reduction of arrears in the High Courts and District Courts” of the Hon’ble Supreme Court headed by Hon’ble Mr. Justice Abhay S. Oka has observed grave concern over the trending increase in pendency of almost all the High Courts in India, especially of those cases which are pending for over two or three decades and thus has formulated a Model Action Plan for Reduction of Arrears in High Courts to serve as a lighthouse for every High Court in formulating its own Action Plan. Delhi High Court has thus evolved a comprehensive and integrated Action Plan for Arrear Reduction in the High Court of Delhi.

The Plan lays down principals which are in tandem with the needs and demands of the Delhi High Court.

KEY PRINCIPLES FOR THE ACTION PLAN:

- a. ***Prioritizing Older cases:*** Special emphasis on identifying and disposal of cases which are more than 10, 20 or 30 year old.
- b. ***Case Management Hearings:*** To ensure faster progression of cases through their various life stages.
- c. ***Fair Case Distribution:*** Ensure balanced distribution of cases without interfering much with the jurisdictional aspect of various Benches.
- d. ***Effective Utilization of Technology:*** Effective use of IT Tools and AI mechanism for automated data extraction, defect rectification and

summarization for clustering of matters involving common question of law.

- e. ***Eliminating Infructuous matters:*** Implement strategies for identification and weeding out of infructuous matters i.e matters which are no longer relevant or necessary.
- f. ***Implementation of Alternative Dispute Resolution:*** Encourage the use of mediation and Lok Adalats for speedy resolution of disputes. Special Lok Adalats may be conducted to dispose of compoundable cases, maintenance and matrimonial disputes, land acquisition cases, MACT and service matters.
- g. ***Stakeholder Engagement:*** Involve Bar Associations and other agencies to address procedural delays.
- h. ***Report Generation and Monitoring:*** Generation of reports and their regular monitoring for assessing progress and effective strategy formulation and implementation.

PHASE-I: Preparatory Phase (March 2025-June 2025)

- a. Preparation of list of Targeted Cases: The Registry shall undertake the task of preparing a list of targeted cases. Such targeted cases shall be ascertained on the basis of following parameters:
 - i) Cases more than 20 year old as well as separate list of cases more than 10 year old for each Bench and Court.
 - ii) Criminal appeals where accused is in jail for a considerable long period of time without suspension of sentence.

- iii) Where there is statutory requirement to decide the matter within stipulated time. For example: death reference cases, cases under Section 374(4) CrPC.
 - iv) Cases of termination of employees
 - v) Cases pertaining to pension matters.
 - vi) Supreme Court expedited cases.
- b. List of Targeted Cases shall be placed before the Chief Justice of the Delhi High Court. The Chief Justice can thereafter order for transfer of certain cases for equitable distribution of targeted matters with minimum abrasion to the jurisdictional aspect of various Courts and Benches.
- c. The List of Targeted cases (on original side) shall be sent to the Listing Branch of the High Court which shall then forward it to the concerned Joint Registrar (Judicial) for holding Case Flow Management Hearings for different Benches and Courts. In all other Targeted Cases, the Case Flow Management Hearing shall be done by the Court concerned in the presence of the Counsel for the Parties for disposal of the matter within the stipulated time period.
- d. Joint Registrar (Judicial) shall hold Case Flow Management Hearings in all the targeted matters (on original side) in the presence of parties and their duly appointed legal representatives. The presence and participation of Advocates of the parties in the Case Flow Management Hearings shall be mandatory. It shall be ensured that targeted matters where evidence is being recorded or yet to be recorded, be done by Joint Registrar(Judicial) during the first phase itself.

- e. After hearing the parties and their advocates, depending upon the nature and complexity of the case and considering the stage at which the targeted matter is, dates should be fixed for hearing and disposal of such matter within a specific time i.e by the end of second phase of the implementation of the Action Plan.
- f. After approval of the Chief Justice, every Thursday after lunch hours shall be designated for hearing and disposal of targeted cases, which shall be duly communicated to the Bar Members and other stakeholders.
- g. Due compliance of all the tasks in the first phase shall be placed before Case Flow Management Committee of the High Court by the Registrar(CFM).
- h. A unique identifier has to be assigned to the old cases by the listing branch which would help the judges in prioritizing hearing of those matters.
- i. CFM Branch shall prepare a list of targeted cases which have been stayed by the Supreme Court and send the same to the Supreme Court on monthly basis. The said list shall be updated as to continuance or lifting of stay.
- j. A team of trainee judicial officers under Case Flow Management Branch shall be constituted on approval of Chief Justice of Delhi High Court for identification of cases which have become infructuous in Delhi High Court. The said team shall file its report on weekly basis which shall be placed before the CFM committee for appropriate directions.
- k. Physical verification of cases shall be conducted during summer vacations and data on the Delhi High Court website and NJDG be updated accordingly.

- l. Constitution of Data Unit in Delhi High Court which will act as a “Command Centre” for efficient and accurate data management, data integration and data solutions.
- m. Development of effective AI tools for automization of e-filing stage and data extraction with provisions for defect rectification and fact summarization.

PHASE-II: Implementation Phase (July 2025- June 2026)

- a. After preparation of Case Flow Management Hearing Sheets in targeted cases, the endeavor should be to dispose off all such cases which are more than 20 year old by the end of this phase.
- b. The targeted cases shall be heard as per the dates fixed in the Case Flow Management Sheets and no adjournments shall be allowed on such dates as fixed in the sheet.
- c. The oldest 10 Targeted matters of each Bench shall be reflected in the Advance List of each Court continuously and with the disposal of each such old case, the Registry is directed to substitute the disposed case with the next oldest targeted matter of that Bench in the Advance List accordingly.
- d. The Data Unit shall collect, collate, and prepare monthly reports regarding development/disposal of targeted cases from various courts and send it to Registrar (CFM) to be placed before the Case Flow Management Committee.
- e. A quarterly Report regarding implementation of the Action Plan shall be placed before the Chief Justice of the Delhi High Court for overall monitoring.

- f. The Chief Justice shall hold a quarterly meeting with the Chairperson of Case Flow Management Committee to suggest ways and means to increase disposal of targeted cases.

PHASE-III: (June 2026-May 2027)

- a. During the third phase, the endeavor should be to dispose off all such cases which are more than 10 year old.

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