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

+ W.P.(C) 6037/2018 & CM APPL. 23435/2018

**NCLT BAR ASSOCIATION THR ITS SECRETARY
GENERAL**

..... Petitioner

Through Mr.A.S. Chandhiok, Sr.
Adv. with Ms.Chandni Ghei &
Ms.Ramya Kutty, Advs.

Mr.P.V.Kapoor & Mr.V.K. Chowdhary,
Sr. Advs. with Mr.Shiv Kumar Suri,
Mr.Shikhil Suri, Ms. Shilpa Suri,
Ms.Vinishma Kaul & Mr.Saurab Kalia,
Advs.

versus

UNION OF INDIA AND ORS

..... Respondents

Through Mrs.Bharathi Raju, CGSC
for R-1.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

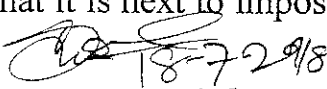
HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

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17.07.2018

1. Grave issues are being pressed by learned senior counsel who regularly appear before the NCLAT and NCLT regarding the completely deficient facilities provided to the Tribunals specially the insufficiency of the space and the gross inconvenience in accessing the court rooms rendering the court rooms of the NCLT as well as the Appellate Tribunal largely inaccessible to even lawyers/professionals who are statutorily recognised to appear in the cases. It is submitted that it is next to impossible for the parties


Court Master
High Court of Delhi
New Delhi

to access the tribunals.

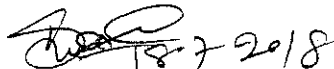
2. Let reports regarding the facilities which are available in the NCLAT and NCLT be placed before us by the respondent nos.2 and 3.

3. We have requested Ms.Bharati Raju, learned CGSC for the respondent nos.1 and 4 to personally visit the premises of NCLAT and NCLT on next Monday i.e. 23rd July, 2018, and inform this court about the conditions.

4. The reports of the respondent nos.2 and 3 shall be filed within 10 days from today. Let copies thereof be supplied by respondent nos.2 and 3 to the Secretary, Ministry of Corporate Affairs who shall examine the same and inform this court the timelines in which the deficiencies shall be rectified.

5. We are informed by Ms.Bharati Raju, learned CGSC that there are grave concerns of security for which reason limited tenure passes are being issued to the lawyers visiting the Appellate Tribunal and the Tribunal. We are informed at the same time that the Government officials, working in the buildings of the Complex where these Tribunals are located, are being issued passes of five years' duration. It is inexplicable as to why the respondent no.1 has taken such a stand that it could issue only one year passes to the lawyers despite effecting verification of their credentials. It cannot be denied that there can be no impediment to the litigants in accessing the prescribed forums for redressal, relief and justice.

6. In any case, if there concerns of security would have the impact of prohibiting access to justice to the litigants, the


18/7/2018

Court Master
High Court of Delhi
New Delhi

respondents deserve to examine possibility of situating the Tribunal and the Appellate Tribunal in premises where such concerns do not arise.

7. We are informed by Mr.A.S.Chandhiok and Mr.P.V.Kapoor, learned Senior Counsels that the Supreme Court of India and Delhi High Court issue permanent passes after due verification to lawyers.

8. The Secretary, Ministry of Corporate Affairs, shall file a status report before us upon consideration of all the issues noted by us.

9. Let the issues regarding security be also examined by the Ministry of Home Affairs in the light of the above submissions.

10. List on 21st August, 2018.

Order be given *dasti* under the signatures of the Court Master.

Sd/-

ACTING CHIEF JUSTICE

Sd/-

C.HARI SHANKAR, J

JULY 17, 2018

rk/dsn

Attested true copy
18-7-2018

Court Master
High Court of Delhi
New Delhi