

**PRACTICE DIRECTIONS FOR ONLINE ELECTRONIC FILING (E-FILING) IN  
THE HIGH COURT OF DELHI**

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**1. PREFACE**

These practice directions will apply to Online e-filing and e-filing through designated counters concerning categories of cases as maybe notified from time to time by Hon'ble the Chief Justice. The practice directions will, thus, amend and consolidate the existing directions (Practice Directions for Electronic Filing(E-filing)) issued on 25<sup>th</sup> October, 2013.

**2. DEFINITIONS**

2.1. Action: means proceedings instituted in the High Court including those by way of suits, appeals, civil or criminal writ petitions, revision petitions, contempt petitions, execution petitions, arbitration petitions, probates,as also interlocutory applications of all kinds.

2.2. Administrator: means the Registrar (IT) or any other officer appointed by the Chief Justice for administering and dealing with matters connected to or related to e-filing.

- 2.3. Bench: means and includes one or more Judges assigned to adjudicate upon actions as per Roster.
- 2.4. Designated Counters: means and includes those counters which find mention in Appendix-I and those that maybe included or excluded from the said appendix from time to time.
- 2.5. District Courts: means and includes the courts established and functioning under the control and supervision of High Court.
- 2.6. Electronic Filing (e-filing): means and includes e-filing via internet (at the High Court web portal) as well as through intranet at the Designated Centres, unless the context requires otherwise.
- 2.7. Evidence: means and includes evidence as defined under the Indian Evidence Act, 1872.
- 2.8. High Court: High Court means the High Court of Delhi at New Delhi.
- 2.9. Objections: means and include deficiencies and errors pointed out by the Registry qua the actions instituted in the High Court.
- 2.10. Opposite Party: means defendant(s), respondents, judgment debtor(s) and non-applicant(s).
- 2.11. Party: means and includes Appellant(s), plaintiff(s), petitioner(s), complainant(s) and applicant(s).

2.12. Pleadings: means and includes pleadings filed in support or in defence of an action including affidavits, additional affidavits, supplementary affidavits.

2.13. Registry: means the Registry of the High Court.

2.14. Statement of Defence: means and includes written statements, reply(ies), counter affidavits, additional and supplementary affidavits.

2.15. Third Party means and includes person(s) and entity(ies) seeking impleadment or intervention in an action.

2.16. Working Day means and includes a day when the Registry of the Court is working as per the Calendar published or as directed by the High Court.

### 3. **GENERAL INSTRUCTIONS**

3.1. The online e-filing shall be made by visiting the High Court web portal : <http://delhihighcourt.nic.in/efiling.asp>.

3.2. Except as provided elsewhere in these practice directions, actions, whether in fresh, pending or disposed of cases, will be filed electronically by the Advocate/litigant in person from her/his home/office/any other remote location in the manner provided hereafter.

3.3. Insofar as the Advocate/litigant in person who does not have access to the requisite facility is concerned, she/he shall be entitled to make use of the

facilities provided at the Designated Counters for the said purpose upon payment of charges\*, if any, stipulated.

- 3.4. The size of the e-file should not exceed 50 MB. In case the file size exceeds 50 MB, the Advocate/litigant should visit any one of the Designated Centres for enabling e-filing via intranet.

#### **4. STEPS FOR REGISTRATION**

- 4.1. Other than Advocates and litigants in persons who are already registered with the High Court e-filing portal and hence would be entitled to login through their existing login IDs, the rest will take the following steps to register themselves.

##### **i) Advocate**

- a) Should visit the web portal (<http://delhihighcourt.nic.in/efiling.asp>) to view the form.
- b) Click the Registration link.
- c) Fill the form with requisite details.
- d) Submit the filled-up form along self-attested copy of the Bar Council Registration Certificate or Bar Council I-card (in .pdf format only).

##### **ii) Litigants in person**

- a) Should visit the web portal (<http://delhihighcourt.nic.in/efiling.asp>) to view the form.

- b) Click the Registration link.
  - c) Fill the form with requisite details.
  - d) Submit the filled-up form along with the self-attested copy of any Government ID (in .pdf format only).
2. Submit an affidavit/undertaking that she/he had not engaged an Advocate in the action. In case the litigant in person subsequently engages an Advocate, she/he will then be entitled to make an application before the Administrator for transferring the data to her/his Advocate's account in respect of the subject action. Once the Administrator allows the application, the data in the subject action shall be transferred in the user account of the concerned Advocate. The litigant in person thereafter will not be in a position to access the data of the subject action, without the permission of the Administrator.
3. In both the cases, the login ID will be allotted on the next working day, only if, the application is found complete in all respects. The procedure for the registration purpose is set out in **Appendix-II**.

5. **FRAME OF PLEADINGS**

The pleadings should be clear and concise. The party(ies)/third party(ies) should clearly set forth claims/averments in separate paragraphs. The statement of truth/ affidavit of the concerned person should bear her/his signature. The opposite party(ies) should also file her/his reply(ies) under

separate paragraphs and headings, (i.e., Preliminary Objections, Objections on Merits) bearing sequential numbers.

## 6. **FORMATTING**

6.1. All the original typed text material including notice of motion, memorandum of parties, main petition or appeal, interlocutory application(s), reply, status report, affidavit, documents, etc., as the case may be, will be prepared electronically using the following formatting style:

Paper size	:	A-4
Top Margin	:	1.5"
Bottom Margin	:	1.5"
Left Margin	:	1.75"
Right Margin	:	1.0"
Alignment	:	Justified
Font	:	Times New Roman
Font size	:	14
Line spacing	:	1.5

6.2. The document should be converted into OCR searchable Portable Document Format (PDF) using any PDF converter or in-built PDF conversion plug-in provided in the software.

6.3. Where the document is not a text documents and has to be enclosed with the action, the document should be scanned using an image resolution of 300 dpi (dot per inch) in OCR searchable mode and saved as PDF document. The procedure for converting a document into an OCR searchable PDF as mentioned above and asrequired in clause 8.1 is set out in **Appendix – III.**

## **7. Digital Signatures**

7.1. The document converted in PDF (“PDF Document”) shall be digitally signed either by the party(ies) and/or the Advocate(s). The digital signatures shall be appended on such places on the PDF document as prescribed under the extant rules. In the eventuality of neither the party(ies) or the Advocate(s) engaged being possessed of digital signatures, a print out of the action shall be physically signed by the party(ies) and/or Advocate(s) as per rules and thereafter it shall be scanned and uploaded.

7.2. The List of recognized Digital Signature Providers and the procedure involved in appending single or multiple signatures are set out in **Appendix - IV.**

## **8. DO’S and DON’T’S**

- 8.1. The text documents as well as scanned documents as stated in clause 6.3 and 7.1 above should be merged as a single OCR searchable PDF file and should be book-marked as per the Master Index, duly approved by the Registry. The procedure in this behalf is set out in **Appendix - V**.
- 8.2. The merged documents should be uploaded at the time of online e-filing. The screen shots of the manner of accessing the online e-filing portal and for main case filing or for application filing, documents, written statement/reply, replication/rejoinder, different types of affidavits, evidence, etc. in a pending case are set out in **Appendix - I**.
- 8.3. Once e-filing is accepted, the Diary Number shall be notified to the Advocate or litigant in person.
- 8.4. The online e-filing web portal does not support the filing of audio or video files. The audio and video files need to be filed at the High Court Filing Counter.
- 8.5. Special Characters are not allowed while filling for e.g., Memo of Parties and Advocate remarks.
- 8.6. The online e-filing shall not be watermarked or encrypted. The e-filed documents shall not contain any virus, malware, spam-ware or trojan horse or the like. All the e-filed documents shall be legible and free of all markings, track changes or annotations.



9. **PAYMENT OF COURT FEES**

Court fee can be paid either electronically by purchasing the same from the online facility provided by the Stock Holding Corporation of India Limited (<http://www.shcilestamp.com/>) or from the counters provided for the said purpose in High Court and District Courts or even from any authorized court fee vendor in NCT of Delhi. The payment code provided upon purchase of court fee is required to be entered in the appropriate field at the time of the online e-filing.

10. **RETENTION OF ORIGINALS**

10.1. The originals of the documents that are scanned and digitally signed either by the Advocate or the litigant in person at the time of e-filing should be preserved, for production or inspection, as may be directed by the Bench.

10.2. In any event, the signed vakalatnama, the signed and notarized/attested affidavit and any other document whose authenticity is likely to be questioned should be preserved, at least, for two years till after the final disposal of the action. Final disposal shall include disposal of the action by the superior appellate court.

10.3. Notwithstanding anything else, the following documents will have to be preserved permanently:-

- a) A negotiable instrument (other than a cheque) as defined in section 13 of The Negotiable Instruments Act, 1881 (26 of 1881).
- b) A power-of-attorney as defined in section 1A of the Powers-of-Attorney Act, 1882 (7 of 1882).
- c) A trust as defined in section 3 of The Indian Trusts Act, 1882 (2 of 1882).
- d) A Will as defined in clause (h) of section 2 of The Indian Succession Act, 1925 (39 of 1925) including any other testamentary disposition by whatever name called.
- e) Any contract for the sale or conveyance of immovable property or any interest in such property.
- f) Any other document as may be directed by the Bench.

10.4. The responsibility of producing the originals and proving their genuineness shall be of the party that has electronically filed the scanned copies thereof.

11. **ACCESS TO THE ELECTRONIC DATA OF THE ACTION**

Free of cost access shall be available to the authorized person(s) in respect of e-filed data by either of the parties in their specific action, as is presently being provided in the actions pending in e-courts. This facility shall be in addition to the procedure of obtaining of the certified copies as per the Rules.

12. **EXEMPTION FROM ELECTRONIC FILING**

Exemption from online e-filing concerning the entire or part of the pleadings and/or documents may be permitted by the Bench upon an application being made for that purpose to the Bench albeit in the following circumstances:

- i) online e-filing is, for the reasons set out in the application, not feasible; or
- ii) there are concerns about confidentiality and protection of privacy; or
- iii) the document cannot be scanned or filed electronically because of its size, shape or condition; or
- iv) the online e-filing portal is either inaccessible or not available for some reason; and/or
- v) any other just and sufficient cause.

13. **SERVICE OF ELECTRONIC DOCUMENTS**

In addition to the prescribed mode of service, notices, documents, pleadings that are filed electronically may also be served via designated e-mail IDs of the Registry officials to the e-mail address of the advocates or parties, if available. The e-mail IDs of the Registry officials will be published on the High Court website so as to enable the recipients to verify the source of the e-mail.

14. **COMPUTATION OF TIME**

14.1. Wherever period of limitation/time limits apply, it will be the responsibility of the party concerned to ensure that the filing is carried out well before the cut-off date and time. The date of e-filing will be

taken as that date when the action is electronically received in the Registry within the prescribed time on any working day. For computing time at which e-filing is made, Indian Standard Time (IST) will apply.

14.2. E-filing through Designated Counters will be permissible upto 1600 hours on any court working day. Insofar as online e-filing is concerned, if it is carried out after 1600 hours on any day, the date of filing will be treated as the date which follows the actual filing date provided it is a court working day. Actions filed on a day declared as gazetted holiday or on a day when the court is closed, will be treated as having filed on the next working day. For the purpose of computation of limitation, online e-filing shall be subjected to the same legal regime as is applicable to physical filing, save and except as provided hereinabove.

14.3. The online e-filing via web portal can be carried out throughout the day, subject to breakdown, server downtime, system maintenance or any other exigencies. In cases where online e-filing is not possible for any one or more reasons given above, the parties can either approach the Designated Centres for e-filing between 1000-1600 hours only on court working days or take recourse to physical filing. No exemption from limitation shall be permitted on the ground of failure of online e-filing facility via the web portal.

14.4. The provisions concerning limitations qua online e-filing will be no different from those applicable to physical filing. The period of limitation qua such actions will commence from the date when e-filing is made as per procedure prescribed herein.

15. **PROCEDURE FOR FILING CAVEAT**

All caveats, in pending or disposed of matters can be filed online. The procedure for this purpose is set out in **Appendix - VI**.

16. **HARD COPIES OF PLEADINGS AND DOCUMENTS FILED ELECTRONICALLY**

Advocates as well as parties can print hard copies of all pleadings and documents filed electronically for their use in the court or elsewhere. Likewise, the Registry will, wherever required, prepare hard copies for its official use.

17. **STORAGE AND RETRIEVAL OF E-FILED DOCUMENTS AND PLEADINGS**

The e-filings will be stored on an exclusive server maintained under the control and directions of the High Court. Each such filing will be separately labelled and encrypted for this purpose to facilitate easy identification and retrieval. The security of such filings will be ensured and access to such filings would be restricted in the manner provided hereinabove and as may be notified from

time to time. For continuity of operations in case of disaster, natural calamity or breakdown, mirror image of e-filings available on the servers located in the High Court is made at different Geographical locations, as decided from time to time by the High Court.

## **18. RESIDUARY PROVISIONS**

18.1. The e-filing made by an Advocate/litigant in person will be rejected if she/he does not follow the protocol mandated by these practice directions.

18.2. It would not be obligatory on the part of opposite party to accept pleadings and documents via email. In such eventuality hard copy(ies) of pleadings and documents will have to be provided to the opposite party. In such circumstance, the plaintiff/ petitioner can be called upon to deposit the charges, calculated on the basis of number of pages per defendant/respondent which are required to be photocopied. This facility will be provided by the registry on a written request being made by the defendant(s)/respondent(s).

18.3. The registry would communicate the objections, if any, regarding the cases filed via email/SMS to the concerned Advocate/litigant in person. Once the objections, if any, are cleared the cases will be processed for

listing and the concerned Advocate/litigant in person will be informed including via email/SMS.

19. **GENERAL CAUTION**

Email is not a secure medium of communication. Any communication transmitted via email can be intercepted or read by a third party. In case an Advocate or a litigant in person wishes to transmit a confidential or sensitive document/material, she/he shall in the first instance approach the registry for requisite assistance/advice.

**LIST OF APPENDIXES [PLEASE CLICK ON THE LINK]**

- APPENDIX- I**      [Screen shots showing procedure for accessing the online portal and electronically filing documents, containing List of Designated Counters.](#)
- APPENDIX- II**      [Screen shots showing the procedure for the registration.](#)
- APPENDIX- III**      [Screen shots showing the procedure for converting a document into an OCR searchable PDF.](#)
- APPENDIX- IV**      [Screen shots showing procedure for appending single or multiple digital signatures.](#)
- APPENDIX- V**      [Screen shots showing procedure for book-marking.](#)
- APPENDIX- VI**      [Screen shots showing procedure for filing Caveat.](#)

\*Note: During the lockdown period, no charges will be levied for scanning at the Designated Counters.