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

+ **W.P.(C) 7998/2025**

RUSHANT MALHOTRA & ORS.

.....Petitioners

Through: Mr. Aditya Chauhan, Mr. Abhishek Taneja, Mr Sahil Sharma & Mr Shashank Agarwal, Advs. along with the Petitioner in Person (9971522722)

versus

THE GOVERNMENT OF NCT OF DELHI & ORS.Respondents

Through: Mr. N.K. Singh, Ms. Aliza Alam, Mr. Mohnish Sehrawat and Mr. Amitoj Chadha, Advs. for Mrs. Avnish Ahlawat, SC, GNCTD (9313964463) Ms. Harshita Nathrani, Adv. for Mr. Sameer Vashisht, SC, GNCTD Mr. Reetesh Singh, Principal Secretary (Law, Justice & LA), GNCTD Ms. Avshreya Pratap Singh Rudy, Ms. Usha Jamnal & Ms. Harshita Chaturvedi, Advs. for R-3. (M: 9810001315) Ms Radhika Bishwajit Dubey, SC, DHC with Ms Gurleen Kaur Waraich, Mr Kritarth Upadhyay and Mr Vivek Sharma, Advs (7011431001)

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **09.09.2025**

1. This hearing has been done through hybrid mode.

CM APPL. 56616/2025

2. Allowed, subject to all just exceptions. The application is disposed of.



CM APPL. 56615/2025

3. This is an application under Order I Rule 10(2) of the Code of Civil Procedure, 1908, filed by the Law Researchers of the Delhi Judicial Academy seeking impleadment in the present writ petition.

4. The applicants herein are also claiming some arrears of the remuneration of the Law Researchers of the Delhi Judicial Academy.

5. However, given the facts in the application, this Court is of the opinion that the applicants ought to file a separate writ petition, rather than seeking impleadment in this writ petition as the subject matter of this petition is about enhancement of remuneration which has already been recommended.

6. Accordingly, the said application is disposed of with liberty to the said applicants to file a separate writ petition.

W.P.(C) 7998/2025

7. On the last date of hearing, Mr. Reetesh Singh, Principal Secretary, (Law, Justice & LA), GNCTD had assured the Court that the decision pertaining to the enhancement of the remuneration of the Law Researchers of the High Court of Delhi was pending before the competent authority and within a period of 10 days, a positive outcome was likely to be taken.

8. Accordingly, today, the decision dated 3rd September 2025 of the Hon'ble Council of Ministers, GNCTD has been placed on record, wherein the issue regarding the engagement of Law Researchers in the Delhi High Court and enhancement of their remuneration has been approved in the following terms:



GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
(DEPARTMENT OF LAW, JUSTICE & LEGISLATIVE AFFAIRS)
8TH LEVEL, C-WING, DELHI SECRETARIAT, I.P. ESTATE,
NEW DELHI-110002

F. No. 6/34/03/PF/Judl/Suptlaw/1681

Dated 08/09/2025

ORDER

Sub:- Engagement of Law Researchers, in High Court of Delhi, and enhancement of their remuneration regarding.

Pursuant to the MoM held on 23.05.2025 with the Hon'ble "Committee To Take Up the Matter with the Government for providing Infrastructure for District Judiciary" of the Hon'ble High Court wherein vide Sr. No. 10 regarding sanction of adequate number of posts of law Researchers and enhancing their remuneration, the following proposal was prepared by the Law Department and placed before Hon'ble Council of Ministers for consideration:-

- "1. Grant of permanent approval to the Scheme for engagement of Law Researchers, in High Court of Delhi, 2018 (as amended from time to time), which has been framed by Hon'ble High Court for engagement of Law Researchers.
2. Increase in the number of Law Researchers from three to four per Hon'ble Judge of High Court of Delhi.
3. Enhancement of monthly remuneration, payable to the Law Researchers from existing Rs. 65,000/- to Rs. 80,000/- w.e.f. 01.10.2022."

Vide Cabinet Decision No. 3247 dated 03.09.2025 Hon'ble Council of Ministers, GNCTD approved the proposals as under: -

- a) Engagement of Law Researchers in Delhi High Court on contractual basis
- b) Increase in number of Law Researchers from three to four per Hon'ble Judge of the Hon'ble High Court of Delhi
- c) Enhancement of monthly remuneration payable to Law Researchers from existing Rs. 65,000/- to Rs. 80,000/- w.e.f. 02.09.2025.

This issues with the prior approval of Pr. Secretary (Law)


(Anita Dayal)
Dy. Secretary (Judicial)

Copy for information and necessary action to:-
The Ld. Registrar General, High Court of Delhi.



9. The Court has taken note of the said decision of the Hon'ble Council of Ministers, GNCTD which provides for enhancement of the monthly remuneration of Law Researchers engaged in Delhi High Court from Rs. 65,000/- to Rs. 80,000/- with effect from 2nd September, 2025.

10. However, it is seen from the documents on record that the Committee of this Court, as also the Hon'ble Chief Justice, in the meeting dated 16th August, 2023, had approved the revision of remuneration of Law Researchers from Rs. 65,000/- to Rs. 80,000/- w.e.f. 1st October 2022. While the said enhancement has now been approved by the Hon'ble Council of Ministers, GNCTD, the date from when the approval has been granted is 2nd September 2025 i.e., the date when the Cabinet of Ministers took the decision.

11. On the previous occasion when similar enhancement of remuneration was undertaken, the same was in terms of the recommendations made by the Hon'ble Chief Justice of the High Court as is evident from the order dated 6th December 2023 passed in **W.P.(C) 5099/2023** which reads as under:

“1. Learned Counsel for the Respondent/GNCTD states that the Finance Department has given concurrence for enhancement of remuneration of Law Researchers from Rs.35,000/- to Rs.50,000/- w.e.f., 07.08.2018 to 31.07.2019 and from Rs.50,000 to Rs.65,000/- w.e.f., 01.08.2019 to 30.09.2021.

2. It is stated by the learned Counsel for the Respondent/GNCTD that steps are being taken to clear the arrears of the remuneration of Law Researchers and it is expected that the arrears would be cleared within eight weeks from today.”

12. However, presently, Mr. Reetesh Singh, Id. Principal Secretary (Law, Justice & LA), GNCTD, as also Id. Counsel appearing for the GNCTD submit that the recommendation has been approved by GNCTD, but only with



prospective effect and the payment of arrears has not been approved w.e.f. 1st October 2022. It is submitted that there were some objections by the Finance Department, GNCTD in this regard.

13. Ld. Counsel for the Petitioner has also placed reliance on Article 229 of the Constitution of India which clearly empowers the Chief Justice of the High Court to decide the terms and conditions of appointment and other administrative expenses of the High Court.

14. In view of the aforesaid, as also the previous precedent in mind, let the Additional Chief Secretary, Finance Department, GNCTD, file an affidavit as to why the decision of the Committee of this Court shall not be given effect from 1st October, 2022. Let the said affidavit be filed before the next date of hearing.

15. List on 10th October 2025.

PRATHIBA M. SINGH, J

RAJNEESH KUMAR GUPTA, J

SEPTEMBER 9, 2025

kk/ss