

To,

**The Hon'ble Chief Justice of India  
Supreme Court of India  
New Delhi.**

Dated: 09.01.2021 INDIA

R & I SECTION

12 JAN 2021

Received on 14.01.2021

**Sub:- Representation regarding the resumption of  
regular physical hearing alongwith virtual hearing  
in Hon'ble Supreme Court of India.**

**Your Lordship,**

This humble representation is being made by the members of this esteemed Bar, who are suffering for about last ten months amidst this pandemic. It is highly appreciable that this Hon'ble Court has opted to go on virtual mode to provide uninterrupted access to justice to the common citizens of this country, however, this virtual functioning of Courts system has more lacunaes than its benefits.

Since last ten(10) months the counsels/members practicing before this Hon'ble Court, especially, the young member of this Bar are still going through a very difficult stage. The virtual hearing system has failed to serve adequately as the affective justice delivery system. Needless to say many of your lordships have express their annoyance regarding the effectiveness of this mechanism. Recently our Hon'ble Attorney General has also expressed

his displeasure about the working of video conferencing system. All this point out that the present virtual system is a failure and is not sub serving the interest of consumer of justice.

Your Lordship is very much aware of this fact, that most of the members practising before this Hon'ble Court are from diverse States and stay here on rent, but due to this pandemic condition and online system of this Hon'ble court, many of them are compelled to leave Delhi and their practice too. This is also an undisputed fact that majority of members of this **Bar** are not well versed with this virtual system due to which they are suffering the most and also defeating the purpose of justice system.

We, SCBA members feel helpless because we, as a Bar has no accessibility to your Lordship, which we used to have earlier, to express our concerns before your lordship.

With utmost respect we, are giving this representation to your Lordship seeking resumption of regular physical hearing of all the courts as there are many practical issues and problems which are being faced by the members of this Bar and their staffs, who are not so well off.

We would also like to bring some of the problems faced by the members of SCBA to your Lordship's kind attention.

1. **Network connectivity issues.**
2. **No proper management by the Registry, regarding virtual hearing.**
3. **No response to the calls by the dealing officers in hand mentioning branch.**
4. **Dismissal of mentioning of urgent matters by the mentioning branch without providing any reason for the same.**
5. **More than 50% of young practitioners of this Bar have been constrained to leave Delhi as they were unable to meet out their living expenses.**
6. **Members staying in Delhi NCR, and practicing before this Hon'ble Court have huge effect on their earnings due to which, either they have to depend on their family or on odd jobs.**

These are some of the issues being faced by the members of the Bar which we wish to bring to Your Lordship's kind attention of which your lordship may not be aware because of non-communication between the Bar & Bench for last 10 months.

Delhi is among the first state in the country which relaxed the lockdown and gradually everything is returning to normalcy. It is pertinent to mention that all Government as well as Private Sectors/offices, Malls, marriage halls,

MovieHalls, Theatres,Temples, Election Rallies, Airports, Metro Services, Train Services, intercity Bus Services have now started workingnot only in Delhi but throughout the country, and even, the registry of this Hon'ble Court is also working physically by entering the court Premises, but we as members of this Bar are deprived of this privilege. In fact Your Lordship may also consider the fact that the High Court in many States like Calcutta, Bombay, Delhi, Madras, Allahabad, Uttarakhand, Jharkhand, Rajasthan, Bihar, Kerala etc. have also started working on regular physicalmode along with virtual hearing.

We therefore, humbly request Your Lordship to order resumptionof regular physical hearing along with virtual hearing, making it a hybrid system for members of the Bar,to opt for any of medium either physical or virtual.

Your Lordship may also kindly consider our request to look into grievancesregarding mentioning as well as listing of matters. We the members of this Bar are feeling helpless because the mentioning Branch do not respond to our calls throughout the day (working hours) resulting in many important matters remain pending adjudication and become infructuous irrespective of the fact whether these matters are fresh or coming after notice. Many matters relating to the life and liberty of citizens including bail matters which require immediate attention still remain unheard creating helpless situation for the litigants and the lawyers.

In conclusion, we humbly request Your Lordship to kindly consider our aforesaid representation and order resumption of regular physical hearing along with virtual hearing mode, for which the members of this Bar would be grateful to your Lordship.

Thanking you,

Yours faithfully,

  
**Kuldeep Rai**

(SCBA Membership No. IR/669)

  
**Ankur Jain**

(SCBA Membership No. J/639)

  
**Anubhav**

(SCBA Membership No. A/859)

**ENCLOSED SIGNATURES OF 505 SUPREME COURT BAR ASSOCIATION MEMBERS**

Copy to :

(1) The President

Supreme Court Bar Association

New Delhi

(2) The President

Supreme Court Advocate on Record Association

New Delhi