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

+ **W.P.(C) 2495/2018**

COURT ON ITS OWN MOTION

..... Petitioner

Through: Mr. Anant Kumar Asthana, Amicus
Curiae

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondents

Through: Mrs Avnish Ahlawat, Standing
Counsel, GNCTD with Mrs. Taniya
Ahlawat, Mr. Nitesh Kumar Singh and
Ms. Laavanya Kaushik, Ms. Aliza
Alam and Mr. Mohnish Sehrawat,
Advocates.
Mr. Satyakam, ASC, GNCTD with
Mr. Pradyut Kashyap, Advocates.
Mr. Vivek Goyal, CGSPC for UOI
with Mr. Gokul Sharma and Mr.
Shivam Singh, Advocates
Insp. Kishor K. And SI Mukesh, PS
Vasant Kunj
Mr. S.K. Sethi, Advocate for DSLSA.
Mr. Hemant Mehta, Legal cum
Probation Officer from Department of
Women & Child Development,
GNCTD.
Mr. H.S. Phoolka, Senior
Advocate with Ms. Prabhsahay Kaur,
Ms. Rachna Tyagi, Ms. Taruna
Panwar, Ms. Tanvi Singh,
Ms. Surpreet Kaur, Ms. Mehak
Rankawat and Mr. Bir Inder Singh,
Advocates for applicant/intervnor in
CM No.6877/2024.

CORAM:

W.P.(C) 2495/2018

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HON'BLE MR. JUSTICE SURESH KUMAR KAIT
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

23.02.2024

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CM APPL. 6877/2024 (filed under Section 151 CPC)

1. The present application has been filed on behalf of the applicant/intervenor seeking following prayer:-

“A. Direct the Respondent/GNCTD to expeditiously fill the vacant positions of Chairpersons and Members in the CWCs in Delhi, within a fixed time period.”

2. It is stated in the present application that most of the CWCs in Delhi are not operating with their complete quorum.

3. It is also informed by learned Amicus that the position of Juvenile Justice Boards is also the same as that of CWCs.

4. It is further stated that understaffing of CWCs and Juvenile Justice Boards poses a significant hindrance in achieving justice and rehabilitation for vulnerable children in need of care and protection and with limited personnel, crucial tasks such as conducting inquiries for matters concerning children, making Individual Child Care Plans (ICRs), conducting Social Investigation Reports (SIRs), etc. are delayed or inadequately addressed. It is stated that the delay in timely addressal of rehabilitation and repatriation procedures directly impacts the well-being and rights of children, as they remain in vulnerable situations for prolonged periods without adequate support and intervention. It is further stated that the absence of a full-fledged



committee not only affects the efficiency of decision making but also undermines the comprehensive care and protection mandated by the Juvenile Justice (Care and Protection of Children) Act, 2015. It is further stated that Circular Dated 28.11.2023 reveals that in 6 out of 11 CWCs, position of all Chairpersons and most of the Members have become vacant as of 31.12.2023 due to the completion of the three-year tenure and these 6 CWCs are currently operating with officio/acting Chairpersons and have 16 vacant positions of Members.

5. Learned Additional Standing Counsel appearing for GNCT of Delhi submits that the applications are pending before the Department for scrutinization and will take some time.

6. In view of the above, we, hereby, direct the Govt. of NCT of Delhi to complete all the formalities of selection process in CWCs and JJBs on or before 31.03.2024, failing which, the Chief Secretary, GNCT of Delhi shall appear before Court on the next date of hearing to explain as to why the order passed by this Court has not been complied with.

7. At this stage, learned Additional Standing Counsel appearing for GNCT of Delhi seek further 15 days' time so as to ensure compliance of order passed by this Court.

8. Accordingly, Govt. of NCT of Delhi is directed to complete all the formalities of selection process in CWCs and JJBs on or before 15.04.2024.



9. List on 25th April, 2024.

SURESH KUMAR KAIT, J

MANOJ JAIN, J

FEBRUARY 23, 2024/st