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

(83)

+ **W.P.(C) 11187/2017**

COURT ON ITS OWN MOTION

.....Petitioner

Through:

versus

GOVT OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sameer Vashisht- Standing Counsel (Civil) with Ms. Harshita Nathrani, Advocate for GNCTD.

Mr. Dhruv Rohtagi- Panel Counsel with Ms. Chandrika Sachdeva & Mr. Dhruv Kumar, Advocates for Respondent No.1/GNCTD.

Mrs. Avnish Ahlawat- SC with Mr. Uday Singh Ahlawat & Mr. Tamal Ahlawat, Advocates for GNCTD.

Mr. Vivek Goyal- CGSPC for UoI (through VC).

Mr. Abhaid Parikh, Mr. Rishabh Dubey & Ms. Shivangi Tripathi, Advocates for NCPCR.

(84)

+ **W.P.(C) 2495/2018, CM APPL. 6877/2024 & CM APPL. 65749/2024**

COURT ON ITS OWN MOTION

.....Petitioner

Through:

versus

GOVT. OF NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Sameer Vashisht- Standing Counsel (Civil) with Ms. Harshita Nathrani, Advocate for GNCTD.

Mr. Dhruv Rohtagi- Panel Counsel



with Ms. Chandrika Sachdeva & Mr. Dhruv Kumar, Advocates for Respondent No.1/GNCTD.

Mrs. Avnish Ahlawat- SC with Mr. Uday Singh Ahlawat & Mr. Tamal Ahlawat, Advocates for GNCTD.

Mr. Vivek Goyal- CGSPC for UoI (through VC).

Mr. Abhaid Parikh, Mr. Rishabh Dubey & Ms. Shivangi Tripathi, Advocates for NCPCR.

AND

(85)

+

W.P.(C) 6040/2024

NATIONAL CHILD DEVELOPMENT COUNCILPetitioner

Through: Mr. Robin Raju, Advocate
(through VC).

versus

GNCTD & ORS.

.....Respondents

Through: Mrs. Avnish Ahlawat- SC with Mr. Uday Singh Ahlawat & Mr. Tamal Ahlawat, Advocates for GNCTD.

Mr. Syed Abdul Haseeb- CGSC for Respondent No.3/UoI.

Mr. Vivek Goyal- CGSPC for UoI (through VC).

Mr. Abhaid Parikh, Mr. Rishabh Dubey & Ms. Shivangi Tripathi, Advocates for NCPCR.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA



ORDER

18.02.2026

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1. Pursuant to our order passed on 06.02.2026, an Affidavit on behalf of the Department of Women & Child Development, GNCTD, which is sworn in by the Deputy Director of the said Department, has been filed.
2. The Affidavit is taken on record.
3. In the Affidavit, it has been stated that necessary efforts have been made to complete the process of appointment of Chairperson and Members of the Delhi Commission for Protection of Child Rights and further that the said process is likely to be completed by the second week of April 2026.
4. We may note that in Paragraph No. 4 of the Affidavit filed today, an attempt has been made to justify the delay in filling of the vacancies. The vacancies in the office of Chairperson and the Members had occurred way back in the month of July 2023 and even after the expiry of period of more than two years and seven months, vacancies have not been filled. If such a long period of time is essential to maintain transparency and fairness to ensure that most suitable candidates are appointed, in our opinion, the State Government will have to rethink.
5. It is needless to observe that the Commission apart from discharging its functions and powers under Section 13 of the Commission, for Protection of Child Rights Act, 2005 (“**CPCR Act**”), also discharges certain statutory functions entrusted to it under Section 109 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (“**Juvenile Justice Act**”) and Section 44 of the Protection of Children from Sexual Offences Act, 2012 (“**POCSO Act**”).



6. The task entrusted in the Commission under the aforesaid legislations is to monitor implementation of the said legislations. If a Statutory Commission has been tasked to monitor implementation of legislations, which have been enacted by the Parliament for ensuring the care and protection of the juveniles and for ensuring welfare of the child victim of sexual offences, we are completely at loss of words to express ourselves on the stance taken by the GNCTD where they have failed to ensure that the Commission functions, right from the month of July 2023. Such a delay not only belies the legislative mandates under the CPCR Act, Juvenile Justice Act and POCSO Act, but also leaves various lacunae in the efforts to ensure the welfare and other measures that ought to be made available to the juveniles and children of this State.

7. We express our hope and trust that the process shall be completed in terms of Paragraph No. 4 of the Affidavit filed today. We further caution that in case the process is not completed as stated by the GNCTD itself in its Affidavit, the matter will be viewed seriously.

8. We also trust that statement made in Paragraph No. 4 of the Affidavit filed today shall be honoured and the process shall be completed by second week of April 2026.

9. List on 15.04.2026.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

FEBRUARY 18, 2026/ 'A'