

ORDER

Re: Situation arising due to outbreak of the novel coronavirus (COVID-19)

In modification/supersession of Order No. 125/RG/Spl./Misc. dated 10.01.2022 to the extent of mentioning, filing and listing of cases, Hon'ble the Chief Justice has been pleased to order, for the time being, subject to review as per the situation, as under:

1. Urgent Filing of Cases:

(i) All type of cases shall be accepted for filing by the Registry of the High Court.

However, the listing of cases will be only after mentioning having been accepted (*except for the categories in which mentioning is not required for listing, as given in para No.3 below*) in view of the urgency to be determined by the nominated Hon'ble Bench through mentioning made on the 'Online Mentioning web-portal', available on the website of the High Court.

(ii) At the time of filing of the case, following note must be given below the index or the objection to that effect will be raised by the registry:-

**“Whether mentioning has been made? If Yes, its Mentioning ID No....
OR
Whether the Counsel/party intends to make mentioning? Yes/No”**

2. Ordinary Filing

Ordinary cases shall also be accepted for filing in routine and the same should be filed at the 'Ordinary Filing Counters' which are situated near 'Pass Counter'.

3. Matters not requiring mentioning for Listing

In the following category of cases, there will be no requirement of mentioning for listing of the cases:

- (i) Anticipatory Bail Applications filed u/s 438 Cr.P.C.,
- (ii) First Regular Bail Applications U/s 439 Cr.P.C.,

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- (iii) First Applications for Suspension of Sentence in Criminal Appeals and Criminal Revisions,
- (iv) Criminal Appeals and Criminal Revisions filed with Application for Suspension of Sentence
- (v) Criminal Writ Petitions,
- (vi) Criminal Revision (Bail) filed U/s 102 of Juvenile Justice (Care & Protection) Act, 2015
- (vii) Criminal Appeals (Bail) filed U/s 14A(2) of SC & ST (Prevention of Atrocities Act, 1989
- (viii) Writ Petitions pertaining to Medical Termination of Pregnancy Act, 1971.

4. Matters Requiring Mentioning for Listing

The matters not described in Para No.3 above including applications in all pending matters, whether freshly instituted or pending, Ld. Advocate/party have to make mentioning through 'Online Mentioning web-portal' for listing.

Ld. Counsels are requested to provide Diary Number, if the case has already been filed, at the time of mentioning in the prescribed column, given in the 'Online Mentioning format', so that the case file may be processed timely without causing inconvenience to any stakeholder.

5. Timing of Mentioning

- (i) The mentioning request showing the urgency shall be made only through 'Online Mentioning' web-portal available on the website of High Court from 8:00 a.m. to 9.00 a.m.
- (ii) *No request for mentioning through any other mode shall be entertained.*

6. In the following circumstances the request for mentioning may be straightway declined without considering the same on its merits:-

- (i) Incomplete/Incorrect Particulars/false disclosure during mentioning.
- (ii) Not selecting the correct fields of the cases.

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7. Result of Mentioning

The result of request for mentioning, having been accepted or rejected shall be intimated through auto-generated SMS on the mobile phone number of the Id. Advocate/party provided in the mentioning request.

However, in case of any technical lapse, it will be responsibility of the Id. Advocate/party to check the same himself from the 'Online Mentioning web-portal' available on the website of the High Court.

8. Request Declined

(i) Once the mentioning request has been declined, no further mentioning request in the same matter by the same advocate or other advocate or party shall be entertained during the period of next **two weeks.**

(ii) No query pertaining to declining the request of mentioning shall be entertained on telephone or by any other mode. For other enquiries, the request will be entertained only through the Help-Line numbers.

9. Urgent Filing and Listing of 'FIXED TODAY' Cases:

(i) The cases in which request is made for 'Fixed Today' should be filed complete in all respects (*alongwith the print-out of mentioning*) by 11.00 a.m. positively without waiting for the status of request for mentioning, so that, if the mentioning is accepted for 'Fixed Today', the case file may be processed and listed before the Hon'ble Bench expeditiously.

(ii) The cases in which request for the 'Fixed Today' is made/accepted should be filed at '**Filing Counter No.3**' in DRR Section.

(iii) In case, the request is accepted for 'Fixed Today' and the case is complete without any objection, it will be listed on the same day.

(iv) If the case is under objection, the said objection, if rectified

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completely and re-filed upto 02:00 p.m., the case will be listed on the next court working day.

(v) The case will be listed on the same day subject to availability of the Hon'ble Bench as per Roster, even if, the mentioning request is accepted for 'Fixed today'.

10. Urgent Filing and Listing of 'FIXED TOMMOROW/NEXT COURT WORKING DAY' Cases:

(i) The cases in which request is made for 'Fixed Tomorrow/Next court working Day' should be filed complete in all respects (*alongwith the print-out of mentioning*) by 1.00 p.m. positively, without waiting for the status of request for mentioning, so that, if mentioning is accepted for 'Fixed Tomorrow/Next court working Day', the case file may be processed and cause-list may be generated timely.

(ii) The cases in which request for the Fixed Tomorrow/Next Court working day is made/accepted should be filed at '**Filing Counter No.3**' in DRR Section.

(iii) In case, the request is accepted for 'Fixed Tomorrow/Next court working Day' and the case is complete without any objection, it will be listed on the next court working day. However, if, the case is not filed complete or is under objection, the case will be listed for the second next Court working day subject to filing of the same, complete in all respects, after removing the objections, till 12:00 noon on next court working day i.e. the day for which the case was originally accepted for listing. Otherwise, the case will be listed as per routine procedure.

(iv) The case will be listed for 'Fixed Tomorrow/Next court working Day' subject to availability of the Hon'ble Bench as per Roster, even if, the mentioning request is accepted for 'Fixed Tomorrow/Next court working Day'.

11. E-filing of cases

E-filing of cases will be accepted as per the prevalent practice and guidelines available on the website of the High Court. In case of e-filed

Handwritten signature and date:
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cases, the counsel shall be required to file the paper-book of the complete case file, before listing of the case, from 10:00 a.m. to 04:00 p.m. on the court working day.

12. General Instruction regarding Listing of cases

- (i) Anticipatory Bail Applications U/s 438 Cr.P.C., Criminal Appeals and Criminal Revisions filed with Application for Suspension of Sentence, Criminal Writ Petitions, Criminal Revisions (Bail) filed U/s 102 of Juvenile Justice (Care and Protection) Act, 2015, Criminal Appeals (Bail) filed u/s 14A of SC/ST Act, 1989, Writ Petitions pertaining to Medical Termination of Pregnancy Act, 1971 and any other case which will be accepted for listing (without any specific date) will be listed after gap of one day of passing of the petition.
- (ii) First Regular Bails having been filed & passed and the subsequent Regular Bails having been accepted for listing will be listed after one week i.e. applications filed on Monday will be listed on the next Monday and the applications filed on Friday and Saturday will be listed on next Friday. The cases will be listed in Ordinary List. In the meanwhile, the notice of the same will be issued to the State concerned.
- (iii) Similarly, First Application for Suspension of Sentence having been filed & passed and the subsequent Application for Suspension of Sentence having been accepted for listing will be listed after 15 days as per prevalent practice.
- (iv) The subsequent bail applications by the same accused in the same FIR will be listed before the same Hon'ble Bench as per availability on the given date, even if, mentioning has been accepted for a particular day.
- (v) No fresh bench will be created in co-accused Bail Applications. Even if, the case is allowed in mentioning for a particular day, the case will be listed only on the date when the already existing Bench available for listing.
- (vi) All the cases will be listed as per current roster. In case the Roster Bench is not nominated for sitting on the given date, when the

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case is to be listed/has been adjourned, then it will be listed on the day when Hon'ble Bench is nominated for hearing the matters, as per the sitting arrangement of the Hon'ble Benches.

13. Hearing of the Cases:

(i) Hearing of cases will be conducted through Virtual/Video-conferencing Mode only for time being, through the approved software or the platform. However, in case of technical failure of any of the platforms, the hearing may be conducted through 'whatsapp' or 'google duo' video calling as per the convenience of the Hon'ble Bench hearing the matter. The joining and disconnection of the Video-conference/video-calling shall be at the end of the Hon'ble Bench only.

(ii) The concerned Advocate/Litigant shall ensure that the Room from where he/she intends to appear before the Court through Video conferencing or Video call is free from all sources of disturbances like external noises, poor lighting and improper acoustics. It shall be ensured that judicial proceeding are conducted with all taken courtesies and protocol as are being observed during judicial proceedings in the Court. No other person except the advocate/litigant shall be allowed in the Room from where litigant/advocate is appearing through video-conferencing/video-call facility.

14. Entry to the Court Rooms

The advocates/ advocates-clerks/law interns/general public shall not be permitted inside the High Court building.

15. Helpline Numbers

Advocates, party-in-person and all concerned may contact the following Helpline Number in connection with any inconvenience/query relating to procedure for mentioning the matters, technical support and procedure for E-filing and Video-Conference between 8:00 a.m. to 5:00 p.m. only on Court working days:

(a) For mentioning of matters for Urgent Hearing:

Helpline Numbers	-	7087218394	7087218395
	-	0172-2718164	0172-2718140

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(b) For Technical support and procedure for E-filing:

Helpline Numbers - 7087218396 7087218397

(c) For technical support and procedure for hearing through video conference:

Helpline Numbers - 7087218391 7087218392

16. All the Officers/Officials attending the office shall ensure proper implementation of Government Advisories. They shall compulsorily use the masks and hand sanitizer. The High Court Building will be sanitized regularly. Any Officers/Officials showing the symptoms of high fever/cold/cough/sneezing etc. should not be asked to attend the office.

17. In case of any grievance to any of the stakeholder, he may submit his suggestions to the Registrar Vigilance, which will be considered in due course.

BY ORDER OF HON'BLE THE CHIEF JUSTICE

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15.1.2022
(Yashwinder Paul Singh)
OSD Judicial Listing
For Registrar General
15.01.2022