

No.22/RG/Spl./Misc. dated 17.05.2020

ORDER

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

Keeping in view the prevailing situation due to outbreak of the novel coronavirus (COVID-19) and after considering the prevailing situation in the States of Punjab, Haryana and UT Chandigarh where the conditions of lockdown and the Containment Zone continues and with a view to ensure the safety of the Hon'ble Judges, Advocates, Staff and litigants; the Hon'ble Administrative Committee has resolved that w.e.f. 18.05.2020, the following arrangement shall be put into operation, till further orders, on the court working days of the High Court:-

1. All types of cases (whether freshly instituted or pending), in which there is urgency, shall be entertained by the High Court. However, the urgency shall be determined (except the categories exempted from mentioning here-in-below) by the nominated Bench through mentioning to be made through the web-portal on the website of High Court.

2. Matters not Requiring Mentioning

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

- (i) First Anticipatory Bail Applications U/s 438 Cr.P.C.,
- (ii) First Regular Bail Applications U/s 439 Cr.P.C.,
- (iii) First Applications for Suspension of Sentence in Criminal Appeals and Criminal Revisions,
- (iv) Protection Matters of run away couples and
- (v) Habeas Corpus petitions

The said cases can be filed directly in the DRR Branch and they will be listed in due course. However, the petitioner/Counsel shall be required to supply the advance legible copy of petition (complete in all respects including page-marking, Annexures, properly arranged in one file only etc.) *through e-mail* to the official respondent(s).

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In case of Application for Suspension of sentence, counsel/applicant shall be required to supply the complete paper book of case also, to the official respondent (s).

(b) The cases which have already been taken up by the Hon'ble Benches during the Covid-19 period after 21.03.2020 through mentioning and the date has been fixed by the Court, even if, the said case(s) is adjourned by the NIC for future date due to some Technical compulsion, the said cases will be taken up on the date already fixed by the Hon'ble Court.

3. Matters Requiring Mentioning

- i. In case of **Public Interest Litigation**, petitioner/Counsel shall be required to supply the advance legible copy of petition (complete in all respects including page-marking, Annexures, properly arranged in one file only etc.) *through e-mail* to the official respondent(s). The official respondent(s) shall submit their respective response(s) on the issues raised in the petition within two working days. The result of request for mentioning, having been accepted or rejected, shall be intimated through the SMS on the mobile phone number of the Id. Advocate provided in the mentioning request.
- ii. In case of **Civil Writ Petitions, Civil matters and other Criminal Matters (not described in Para No.2 above) whether freshly instituted or pending**, the petitioner/party shall be permitted to file the petition only after mentioning is allowed. The petitioner/Counsel shall be required to supply the advance legible copy of petition (complete in all respects including page-marking, Annexures, properly arranged in one file only etc.) *through e-mail* to the official respondent(s). The result of request for mentioning, having been accepted or rejected, shall be intimated through the SMS on the mobile phone number of the Id. Advocate provided in the mentioning request.
- iii. The learned counsel/parties shall ensure that whenever they send an advance copy through e-mail to the official respondents, they should provide the case title, Advocate/Party Name and his/her Mobile number in the title and subject of the e-mail. In case of Application is filed in the pending case, the counsel/party shall be required to supply the complete paper book of case also, to the official respondent (s).

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4. The e-mail and Phone numbers of the officers/counsels designated to accept the petitions on behalf of State of Punjab, Haryana and UT are as under:

- (i) **STATE OF HARYANA**
 Civil Cases Sh. Deepak Balyan, Addl. AG Haryana
 +91-98154-40630 deepakbalyan286@gmail.com
 Criminal cases Sh. Deepak Sabharwal, Addl. AG Haryana
 +91-98722-15757
deepak.sabherwal.legal@gmail.com
- (ii) **STATE OF PUNJAB**
 Civil Cases Sh. Pradeep Bajwa, Addl. AG Punjab
 +91-98880-40799
psbajwa2000@gmail.com
 Sh. Sahil Sharma, DAG Punjab
 +91-79735-84733
sahilsharma.office@gmail.com
 Criminal Cases Sh. H.S. Grewal, Addl. AG, Punjab
 +91-98150-98117
hsgrewal1969@gmail.com
 Sh. Gaurav Dhuriwala, Sr. DAG, Punjab
 +91-98767-05117
dhuriwala@hotmail.com
- (iii) **UNION OF INDIA**
 All Matters Sh. Satya Pal Jain,
 Additional Solicitor General of India
 +91-98141-02232
contact@satyapaljain.com
- (iv) **U.T. CHANDIGARH**
 Civil Cases Sh. Pankaj Jain
 Sr. Standing Counsel, UT Chandigarh
 +91-98143-02432
seniorstandingcounselut@gmail.com
 Criminal Cases Sh. R.S. Rai
 Public Prosecutor, UT Chandigarh
 +91-98140-89853
randeprai@yahoo.com
- (v) **CENTRAL BUREAU OF INVESTIGATION**
 All Matters Sh. Sumeet Goel
 +91-98880-15040
sumeetgoel_adv@yahoo.com

5. **Timings of Mentioning**

The mentioning request showing the urgency shall be made only through the web-portal on the website of High Court from **8.30 a.m. to 10.00 a.m.** on the court working day.

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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) Non supplying the complete legible copy (including Annexures) to the official respondents
- (iii) Not selecting the correct fields of the cases

7. Result of Mentioning

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

8. Request Declined

Once the mentioning request has been declined, no further mentioning request in the same matter by the same advocate or other advocate or the party shall be entertained during the period of next four 0weeks. 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 already published on website.

9. Filing

- (i) In case of Anticipatory Bail Applications U/s 438 Cr.P.C. /Regular Bails U/s 439 Cr.P.C./Suspension of Sentence in Criminal Appeals and Criminal Revisions/Protection Matters pertaining run away Couples and the all other cases in which the mentioning has been accepted, the Counsel/party can file the original printed paper-book in the DRR Branch or can E-file the petition on the website of High Court, **from 9.30 a.m. to 1.00 p.m.** on the court working day.
- (ii) In case of e-filed cases, the counsel shall be required to file the paper-book of the complete case before listing of the case from **10.00 a.m. to 2.00 pm** on the court working day.
- (iii) The Court fees shall be allowed to be paid online through e-filing module.
- (iv) The Affidavit may be attested by the counsel holding the Power of Attorney and appearing in the case, without requiring it to be attested from Oath Commissioner/Notary Public.

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- (v) The scanned Vakalatnama/Power of Attorney with the undertaking to file the original later on shall be accepted.
- (vi) At the time of filing the original paperbook, the counsel/party shall be required to file the proof of the copy (which shall include the copy of e-mail) having been supplied to the official respondents.
- (vii) The '*mentioning Id and the date for which the mentioning has been accepted*', if any, should be provided below the index of the petition.

10. Listing of cases

- (i) The cases will be listed after gap of one day of passing of the petition. However, this will be subject to maximum number of cases that can be taken up in one day. In case the number exceeds, then the said cases will be listed on the next day or as early as possible.

However, if the date is given by the Bench nominated for mentioning, it will be listed on that date subject to filing and removal of objection by 2.00 p.m. on one day prior to date fixed for listing.

- (ii) Regular Bails in which mentioning has been accepted, having been filed and passed, 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 & Saturday will be listed on next Friday. The cases will be listed in the Ordinary List. In the meanwhile, the notice of the same will be issued to the State concerned.

Similarly, the applications for Suspension of Sentence will be listed after gap of 15 days as per prevalent practice.

- (iii) The subsequent bail applications by the same accused in the same FIR will be listed before the same Bench on availability in the Roster on the given date.
- (iv) The required number of the Division Benches/Single Benches shall be nominated by Hon'ble the Chief Justice as per the requirement and requests for the particular day.

11. Hearing of the petition

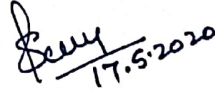
- (i) The hearing of the cases shall be conducted through video conferencing only through the approved software or the platform e.g. vidyo, webex, Jisti meet. However, in case of technical failure of any of the platforms, the hearing may be conducted through 'whatsapp' or 'google duo' video calling as per the convenience of the Hon'ble

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Judge hearing the matter. The joining and disconnecting of the Video-conference/video-calling shall be at the end of the High Court 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 source of disturbances like external noises, poor lighting, improper acoustics. It shall be ensured that judicial proceedings are conducted with 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.
 - (iii) The Hon'ble Judges shall conduct the video-conference from their court room/Chamber/residence and the Id. Counsel/party/Advocate General etc. shall be joined for the video-conference/video-calling from his place.
 - (iv) The 'Standard Operating Procedure' for video conference in respect of hearing of cases has already been published separately for ease-of-use by the advocates.
12. The advocates/ advocates-clerks/law interns/general public shall not be permitted inside the High Court building.
13. 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 shall be got sanitized regularly. Any Officers/Officials showing the symptoms of high fever/cold /cough /sneezing etc. should not be asked to attend the office.

BY ORDER OF HON'BLE THE CHIEF JUSTICE.


(Sanjiv Berry)
Registrar General
17.05.2020