

Chapter 1-A(a)

1. Rule 2 substituted vide Correction Slip No. 80 dated 6-4-1984, prior to substitution the rule reads as under:-

2. Urgent and transfer applications to be presented personally.- [Appeals, applications, etc., accompanied by petition to be treated as urgent, as well as transfer applications, petitions for Writs and for Habeas Corpus which are *ipso facto* treated as urgent may be presented personally to the Reader to the Deputy Registrar on any working day during court hours. Civil writs and transfer applications in civil cases are not, however, treated as urgent during the period the High Court is closed for the long vacation unless accompanied by a petition to be treated as urgent

2. Rule 2(a), after the existing word 'Every' and before the words 'Memorandum of appeal, and every application', the word "Petition" shall be added and after the existing words 'on water marked plain paper' and before the words 'unless a printed form is prescribed for the purpose by the High Court', the words "Or in legible cyclostyled or computer prints" added vide Correction slip no. 103/Rules II.D.4., dated 2nd March 1996 prior to substitution, the rule reads as under

2. (a) Every memorandum of appeal, and every application, written statement, affidavit, annexures to writ petitions, etc., shall be in the English language and shall be typed in double spacing on one side of the paper only on water marked plain paper, unless a printed form is prescribed for the purpose by the High Court. It shall be headed "in the High Court of Punjab at _____ (place)" and signed by the appellant or applicant or by an Advocate entitled as of right to practise in the High Court on his behalf. The original typed copy and not the carbon copy shall be filed in this court. In case any document is required to be filed in duplicate, the duplicate copy shall be the first carbon copy. No memorandum of application or copy thereof will be entertained unless it is legible.

Rule 2(a), further substituted vide Correction Slip No.114 Rules/II.D.4, dated the 23rd April 2004, prior to substitution the rule reads as under:-

2. (a) Every petition memorandum of appeal, and every application, written statement, affidavit, annexures to writ petitions, etc., shall be in the English language and shall be typed in double spacing on one side of the paper only on water marked plain paper, or in legible cyclostyled or computer prints unless a printed form is prescribed for the purpose by the High Court. It shall be headed "in the High Court of Punjab at _____

(place)" and signed by the appellant or applicant or by an Advocate entitled as of right to practise in the High Court on his behalf. The original typed copy and not the carbon copy shall be filed in this court. In case any document is required to be filed in duplicate, the duplicate copy shall be the first carbon copy. No memorandum of application or copy thereof will be entertained unless it is legible.

Provided that a memorandum of appeal, petition, application, affidavit, annexures to writ petitions and other documents, written on a plain paper, sent by a prisoner or a detenu through the officer incharge of the prison, shall be entertained.

3. For rule 3-A, inserted after the existing Rule 3 vide correction slip no.13/Rules/II.D.4, dated 21st December 1989.

3-A. "All Civil Appeals/Civil Revisions/Main Miscellaneous applications shall be paged-marked and indexed in the following serial:-

1. Miscellaneous Application along with affidavit.
2. Grounds of Appeal/Revision on prescribed opening sheet.
3. Memo of parties.
4. Trial Court's Judgment and decree where necessary.
5. Copy of Lower Appellate Court Judgment.
6. Decree of Lower Appellate Court and Grounds of Appeal before Lower Appellate Court
7. Additional documents, if any."

4. The following Note inserted after the existing Rule 3-A vide Correction slip no. 106, Rules/XXII.D.4., dated 8th October 1999 prior to substitution, the rule reads as under:-

Note:- The Counsel be permitted to annex true copies/translation of only of those documents which form part of the records in the lower Courts. The Counsel of the petitioner/appellants will also give a certificate below the grounds of revision/appeal that the documents annexed are part of the lower Court records."

5. Rule 9, substituted, vide Correction slip no. 121 Rules/II.D.4., dated 30th March, 1983, prior to substitution, rule reads as under:-

Power to return
petition for
amendment.

9. The Deputy Registrar is authorised to return for amendment, within a time to be specified in an order to be recorded by him on the petition, any petition not drawn up in conformity with the foregoing

directions.

Chapter 1-A(b)

6. Rule 1-A added below proviso of Rule 1 vide Correction Slip No. 11 dated 4.8.1987.

7. Rules 4, 8, 13 substituted vide Correction slip no. 16, Rules II.D.4., dated 23rd January, 1990 prior to substitution, the rules read as under:-

4. Copies of all bail applications received in the High Court relating to criminal cases pending in lower courts, when bail has already been refused by the lower court, shall be supplied to the Advocate-General by the Deputy Registrar to enable him to appear, if desired, on behalf of the Government provided that hearing of any particular case by the Judge to whom it is assigned is not delayed by this procedure.

8. A copy of the petition for Transfer shall be supplied to the Advocate-General before it is filed in court. The petition shall state whether a copy has been supplied in accordance with this rule and if a copy has not been supplied the reasons for not supplying the same shall also be stated.

13. Copies of applications presented in the High Court by complainants under section 378(4) of the Code of Criminal Procedure for special leave to appeal against the orders of acquittal shall be supplied to the Advocate-General and a certificate to that effect obtained from him before filing them in the High Court.

Copies of applications filed by complainants for special leave to appeal from orders of acquittal to be supplied to the Advocate-General.

Chapter 1-E

8. Rule 1, substituted vide Correction Slip No.115 Rules/II.D.4, dated 8th February 2005, prior to substitution, the rule reads as under:-

Form and attestation affidavits.

1. Affidavits intended to be presented in the High Court in support of an assertion of any fact shall be drawn up and attested in the manner prescribed in Chapter 12 of Volume IV of High Court Rules and Orders. Such affidavits shall be declared before some court or officer appointed to administer the oath to the deponent.

The affidavit shall be written in a language which the deponent understands. If the affidavit is in a language other than the English language then its translation in English shall also be filed in Court.

9. Rule 7, substituted vide Correction Slip No.7, dated 21st December, 1984, prior to substitution, the rule reads as under:-

7. Affidavits intended to be used in any proceeding before the High Court may be presented, unless otherwise directed, to the Judge or Bench at the time when the proceedings is called on or before such time to the Registrar, or the Deputy Registrar, who shall thereupon file them with the proceeding after noting thereon the date of presentation.

Chapter 1-F

10. Rule 1, substituted vide Correction slip No.129/113 Rules/II.D.4, dated 14th November 2003, prior to substitution rule reads as under:-

A fee of rupees three in Court-fee labels shall subject to rules in Chapter 5-B, Rules and Orders of this Court, Volume IV, be charged for each summon, notice or other process issued by the Court

11. Rule 2 deleted, vide Correction slip No.129/113 Rules/II.D.4, dated 14th November 2003, prior to substitution rule reads as under:-

2. Unless otherwise ordered by a Judge, process-fee shall be paid within a period not exceeding seven ^{Period allowed.} days from the date of the order admitting an appeal or application or of an order for notice or warrant, provided that if the office of the Court is closed on the seventh day, the fee shall be tendered on the next day the office is open. The office shall not be required to give any notice or intimation that such process-fee is payable.

Note 1.—In motions which are admitted the Court Reader will draw the attention of the appellant or petitioner, who appears in person and not through Counsel, to this rule and take his signature under the order of admission in token of communication.

Note 2.—No process-fee shall be accepted unless it is accompanied, by copies of the memo of appeal or concise statement, as the case may be in view of the provisions of Order XII, Rule 14(6), Civil Procedure Code, as amended by this Court.

Note 3.—No fee is charged for issue of processes in Criminal cases in this Court.

12. Rule 7 inserted after rule 6 vide Correction slip no.15, Rules/II.D.4., dated 23rd January, 1990:

7. “Where there are more than one respondent/defendant, the appellant/applicant/plaintiff or his Advocate shall clearly mention the name of such party who was proceeded *ex-parte* or did not context the proceedings in the lower court and service shall not be effected ordinarily upon such party unless the Court orders to be contrary.”

Chapter 1-G

13. Chapter 1-G added by Punjab and Haryana High Court Correction Slip No. 12, Dated 20-5-1988.

Chapter 2-C

14. In Rule 3 for the words “Deputy Registrar” appearing after the words ‘Letters Patent will be received by the’, the words “Registrar Judicial” are substituted. Similarly for the word ‘three’ appearing after the words ‘unless it is accompanied by’, the word “two” is substituted vide Correction Slip No. 129, Rules/II.D.4 Dated 22-10-2009, prior to substitution the Rule reads as under:-

3. No appeal under clause 10 of the Letters Patent will be received by the Deputy Registrar unless it is accompanied by three typed copies of the following:—

Chapter 2-E

15. Chapter 2-E added after the existing Chapter 2-D vide correction slip no.107/Rules/II/D.4, dated 08th May 2000.

16. Sub-rule 15-A added after Sub-rule(15) of Rule 3-(A)II, vide correction slip no 116 Rules/II.D.4, dated 13th May 2005.

15-A First Appeal against order under FEMA Act, 1999. First Appeal under section 35 against order of Appellate Tribunal under Foreign Exchange Management Act, 1999.	FAO(Misc.)
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17. Sub-rule 4-A added after Sub-rule(4) of Rule 3-(A)III Taxation Matters, vide correction slip no 130 Rules/II.D.4, dated 22nd October, 2009.

Chapter 3-A

18. In existing Rule 1 after the words “between the hours of 10 a.m. and 4 p.m.”, the words “with Lunch Break of 45 minutes between 1 p.m. to 1.45 p.m.” are added vide Correction slip no.124, Rules/II.D.4. (3-R), dated 1st December, 2008, prior to substitution the Rule reads as under:-

1. The Court will be opened daily, except on authorized holidays, for the transaction of judicial business, between the hours of 10 a.m. and 4 p.m.

Chapter 3-B

19. Rule 1(i), substituted, vide Correction Slip no. 81

Rules/II.D.4, dated 28th March 1984, prior to substitution, rule reads as under:-

- (i) a motion for the admission of-
 - (a) a first appeal from the decree of a subordinate Court; or
 - (b) a second appeal irrespective of the value of the subject matter ;

20. Explanation added after Sub-rule(i) of Rule 1, vide correction slip No.118 Rules/II.D.4, dated 31st January, 2007

21. Added after explanation of Sub-rule(i) of Rule 1, vide correction slip No.119 Rules/II.D.4, dated 16 April, 2007

Provided that the appeals against the order of the Company Law Board for the purpose of preliminary as well as final hearings shall lie before the Company Judge exercising original jurisdiction of the High Court.

22. Explanation to sub-rule (xix)(a) of Rule 1 is substituted vide Correction Slip No. 125 Rules/II.D.4 Dated 18th December, 2008, prior to substitution the explanation reads as under:-

Explanation.—The preliminary hearing for the admission of such applications and petitions shall be before a Bench of two Judges.

23. Rule 1(xx), substituted, vide Correction Slip no. 81 Rules/II.D.4, dated 28th March 1984, prior to substitution, rule reads as under:-

An appeal, petition or reference under the Code of Criminal Procedure Sup. 1973 other than-

24. Proviso added after clause(b) of Sub-rule(xx) of Rule 1, vide correction slip no 24 Rules/II.D.4, dated 11th August, 1995:-

Provided that such an appeal from an order of acquittal in a case of an offence punishable with imprisonment not exceeding ten years shall be heard finally by a single Judge.”

25. Added in Rule 1(i)(xx) after Sub-clause(d) as Sub-clause(e) , vide correction slip No. 81 Rules/II.D.4, dated 28th March, 1984.

- (e) An appeal against the conviction wherein the sentence of more than 10 years imprisonment or death has been awarded.

26. Added as new para (iv) after para (iii) in explanation to rule 1(i)(xx) , vide correction slip No.81 Rules/II.D.4, dated 28th March, 1984.

- (iv) An appeal against the conviction wherein the sentence of more than 10 years imprisonment or death referred to in the sub-clause (e) has been awarded.

27. Added after Sub-rule(xx)(e) of Rule 1, vide correction slip No.118 Rules/II.D.4, dated 31st January, 2007

Provided that an appeal from an order of acquittal in case of offence punishable with imprisonment not exceeding 10 years shall be heard by a Single Bench.

28. Explanation after Rule 1 sub-rule(xi) deleted vide Correction Slip No. 125 Rules/II.D.4 Dated 18th December, 2008, prior to substitution the explanation reads as under:-

Explanation:- The preliminary hearing for the admission of a case under Article 226 of the Constitution of India shall be before a Bench of two Judges:

Chapter 3-C

29. Note after Rule 5 substituted vide Correction Slip No. 75 dated 5-1-1983, prior to substitution the note reads as under:-

Note.—The duties assigned to the Deputy Registrar in the various chapters of this Volume shall be performed by the Assistant Registrar in respect of appeals, Petitions and applications etc., filed, in the Circuit Court, at Delhi.

Chapter 4-E

30. The following is added in Part E before Part F, vide Correction Slip No. 121 Rules/II.D.4., Dated 31st October, 2007.

In exercise of powers conferred by Article 225 of the Constitution of India and all other powers enabling in this behalf, Hon'ble the Chief Justice and Judges of the High Court of Punjab and Haryana are pleased to make the following rules, namely:-

- 1. Short title and commencement:-** (i) These rules may be called the High court of Punjab and Haryana, appointment of Amicus Curiae Advocate Rules, 2007.
(ii) They shall come into force from the date of their publication in the official Gazette.
- 2. Definitions:-** In these rules, unless the context otherwise requires:-
 - (a) 'High Court' means the High Court of Punjab and Haryana at Chandigarh.
 - (b) 'Advocate' means a person enrolled under the Advocates' Act 1961, and entitled as of right to practice in the High Court.
 - (c) 'List' means the list of Advocates prepared and maintained by the High Court under these rules, after selection by the Chief Justice himself or any other Judge's to be nominated by him in this behalf, of competent and willing Advocates of the High Court.
 - (d) 'Chief Justice' means the Chief Justice of High Court

of Punjab and Haryana.

- 3. Satisfaction of High Court about the means of accused/ undefended persons:—** When in civil or criminal proceedings before the High Court, the High Court is satisfied that the accused/ respondent has no means to engage a counsel to defend himself, it shall assign an Advocate from the panel to defend the accused/ respondent:

Provided that the High Court may also assign an Advocate, if it thinks fit, even in a case when the accused/respondent has sufficient means to engage an Advocate.

- 4. Preparation of list :—** (i) The High Court shall for the above purpose maintain a list of competent and willing Advocates having not less than 5 years practice at the Bar:

Provided that the Chief Justice may, for any special reason relax the condition of 5 years practice to 3 years with respect to any Advocate.

- (ii) The list shall contain names of 20 to 30 Advocates which shall be revised in the month of December after every two years.

- (iii) The list shall contain the names of suitable Advocates who offer themselves to appear for the undefended/poor persons in civil/ criminal cases without charging any fee from the party.

- 5. Assignment of an Advocate :—** (i) When an Advocate is required, the Registrar (Judicial) shall assign from the list an Advocate to defend the accused/respondent on rotation.

- (ii) The nomination of the Advocate appearing on behalf of the accused/respondent shall be rotation-wise from the list.

- (iii) Where an Advocate is so assigned, the Deputy Registrar (Judicial) shall, at least 15 days, before the case is listed for actual hearing, arrange to furnish to him the paper book, if any, free of cost and shall also allow, free of cost inspection of the case by the Advocate.

6. Scale of Fees :—

- (i) The fee payable to an Advocate, engaged for the defence of an accused/respondent shall be fixed by the Hon'ble Judge(s) who disposed of the case.

- (ii) The fee shall be payable to the assigned Advocate through the concerned Legal Services Authority of the State to which the case relates.

- (iii) If in a case, fee is not fixed by the Hon'ble Judge(s), who disposes of the case, then the fee shall be paid to the Advocate as per rates fixed by the State Legal Services Authority concerned.

31. In Rule 3 the words “or any petition challenging order of punishment passed in pursuance to any proceedings before a Court Martial” added vide correction slip No. 105 Rule/II.D.4 dated 26-9-1996, prior to substitution the rule reads as under:-

Criminal Writ Petitions.- A petition for the issuance of a Writ in the nature of habeas corpus shall be styled as "Criminal Writ Petition"

32. In Rule 3 the words “or its equivalent tribunal” added vide correction slip no. 3 Rules/II.D.4 dated 9-1-1997, prior to substitution the rule reads as under:-

Criminal Writ Petitions.- A petition for the issuance of a Writ in the nature of habeas corpus [or any petition challenging order of punishment passed in pursuance to any proceedings before a Court Martial] shall be styled as "Criminal Writ Petition".

33. Rule 12 Substituted vide correction slip No. 7 dated 21-12-1984, prior to substitution the rule reads as under:-

12. On the date fixed for appearance, the respondent shall file a return stating whether the detenu is in his custody, whether he arrested him and if so whether the detenu was released before the issuance of notice, and if it is claimed that the detention is legal, then all the facts relevant thereto. Such return shall be supported by the affidavit of the respondent filling the return.

34. Rule 13 Substituted vide correction slip No. 7 dated 21-12-1984, prior to substitution the rule reads as under:-

13. A copy of the return shall, if reasonably practicable, be supplied by the respondent to the petitioner or his counsel before the date fixed for appearance.

35. In Form C.W.P. 1 of Rule 19, the existing Note substituted vide correction slip no. 78 Rules/II.D.4, dated 23rd July, 1983, prior to substitution rule reads as under:-

(Note :-The points of law canvassed in the petition are contained in pages.....
to.....
and in paragraph..... there to)

In Form C.W.P. 1 of Rule 19, the existing Note (iii) further substituted vide correction slip No. 7 Rules/II.D.4, dated 13th January 1997, prior substitution the rule reads as under:-

Any previous case involving the same point

36. Rule 20, sub-rule (1), clause (V) substituted vide Notification dated 22nd August 1979.

37. Added as clause (viii) after the clause (vii) of Rule 20(1) of Part III, vide correction slip No. 112/Rules/II.D.4, dated the 22nd October, 2003

(viii) The prayer for interim relief and for dispensing with the filing of the certified copies of the documents annexed with the petition shall be incorporated in the main petition and no separate application is required to be filed for this purpose. However, the prayer for interim relief, if any, made after filing of the writ petitions shall be made by way of a separate application duly supported by an affidavit.

38. Proviso added after the Rule 20(2) of Part III, vide correction slip No. 104/Rules/II.D.4, dated the 12th March, 1996.

39. Sub-rule (3) of Rule 20 of Part III, substituted, vide Correction slip No. 112-Rules/II.D.4, Dated 22nd October, 2003 prior substitution the rule read as under:-

3. Every petition shall be signed and verified in the manner prescribed by rules 14 and 15 of Order, VI of the Code of Civil Procedure, 1908.

40. Rule 23, Part III, substituted vide Correction Slip no. 17 Rules. II. D. 4, dated 25th October 1990 prior to substitution, the rule reads as under:-

23. Within 3 days of the service of a notice of motion or of admission of the petition, the petitioner shall furnish to the Office as many copies of the petition and the annexures thereto as there are respondents to whom the notice is issued or against whom the petition is admitted.

Supply of
copies to
respondent

Provided that it shall not be necessary to supply such a copy on admission of the petition for the use of respondent to whom one has already been delivered.

41. Rule 25, sub-rule(1), substituted vide Correction Slip no. 125 18th December 2008, prior to substitution, the rule reads as under:-

(1) Every petition shall be laid for motion hearing before a Division Bench of two Judges and hearing before a Single Bench when there is no sitting of a Division Bench.

42. Rule 29, sub-rule(1), substituted vide Correction Slip no. 7 dated 21-12-1984, prior to substitution, the rule reads as under:-

29. (1) A written statement or a return to the petition shall answer each paragraph of the petition separately.

43. Rule 30, substituted vide Punjab and Haryana Notification No. GSR-134/Const./Article 225/Amd/78 Dated 27th November, 1978.

44. Rule 33, substituted vide Punjab and Haryana Notification No. GSR-29/Const./Article 225/Amd/79 Dated 2th February, 1979.

45. In Form C.W.P. 2, the existing paragraph substituted vide correction slip no. 7 2st December, 1984, prior to substitution rule reads as under:-

You are hereby informed that the said petition has been fixed for hearing on.....day of.....

19 (Actual/Tentative) and that if you wish to urge any-thing in reply to the petition, you may appear in this Court on that date and file your written statement on or before that day either in person or through an Advocate duly instructed.

Chapter 4-GG

46. Rule 1 sub-rule(x), the words "Joint Registrar" inserted vide Punjab and Haryana High Court Notification No. SO16/CA/5/1908/s.129/74 Dated 8th February, 1974.

47. Rule 11 sub-rule(iii) and (iv), added vide Punjab and Haryana High Court Notification No. SO16/CA/5/1908/s.129/74 Dated 8th February, 1974.

48. Rule 12 (a), deleted vide correction slip No.6-Rules/II.D.4, dated 14th September 1984, prior to deletion the rule reads as under:-

- (a) Where the petitioner alleges any corrupt practice in the petition, by an affidavit, in the prescribed form, duly sworn before a competent judicial authority or an Oath Commissioner under his seal or stamp in support of the allegation of such practice and the particulars thereof. In the verification the petitioner shall separately specify, by reference to the numbered paragraphs of the affidavit, the facts which he verifies of his personal knowledge and those which are verified on information received and believed to be true. In the latter class of averments, the petitioner shall further specify the source of his information.

49. Rule 14 sub-rule(cc) added vide Punjab and Haryana High Court Notification No. SO16/CA/5/1908/s.129/74 Dated 8th February, 1974.

50. Rule 20 sub-rule(c) substituted vide Correction Slip No. 7, dated 21st December, 1984, prior to substitution the Rule reads as under:-

(c) Any respondent, who does not admit the correctness of the allegations or of the claim made in the petition, shall file a written-statement in the Registry of the Court at least two days before the date of hearing, replying to the petition and the allegations of the petitioner para-wise.

51. Proviso added after Rule 22 sub-rule(i) vide Punjab and Haryana High Court Notification No.

SO16/CA/5/1908/s.129/74 Dated 8th February, 1974.

52. Rule 31 substituted vide Punjab and Haryana High Court Notification No. SO16/CA/5/1908/s.129/74 Dated 8th February, 1974.

53. Form E added vide Punjab and Haryana High Court Notification No. SO16/CA/5/1908/s.129/74 Dated 8th February, 1974.

Chapter 5-A

54. Rule 14 and 15 added vide Punjab and Haryana High Court Correction Slip No. 18, Dated 27th February, 1991.

Chapter 5-B

55. Rule 3, sub-rule (iii), substituted, vide Correction slip No. 79-Rules/II.D.4., dated 20th September, 1983 prior to substitution, rule reads as under:-

“(iii) The application for obtaining Express Copy, Urgent Copy and Immediate copy of order in Motion cases shall be made to the Reader of the Court, pronouncing the judgment or order, as the case may be, on a plain paper bearing a Court fee label of forty paise immediately after the Judgment or order is pronounced and the record is still available with him.

Note 1.-The application for obtaining copies under sub-rule (iii) shall be labeled blue in the case of Express copy and red both in the case of Urgent application and Immediate application with the words “Express”, “Urgent”, and “Immediate”, scribed thereon.

Note 2.-The Reader concerned shall send the application to the branch concerned alongwith, the file. The branch will in turn arrange to deliver the file as also the application to the Copy Branch immediately on its receipt the Reader of the Court concerned.

"Note 3-The copying Agency shall, receive the charges due in respect of the copy from the applicant in advance between 12.00 noon to 1.00 p.m. the same day and issue him receipt for the charges received and indicate on the receipt the date when applicant should turn up to obtain the copy.”

56. Rule 7(i) (a) & (b) substituted vide Correction slip No. 108 Rules/II.D.4, dated 10th May 2001, prior substitution the rule reads as under:-

(a) English copy.	Rs.P.
First 200 words or under 0.50
Every additional 100 words or under	... 0.25
(b) Vernacular copy.	
First 200 words or under 0.25
Every additional 100 words or under	... 0.12

57. Rule 7(i) (c) & (d) substituted vide correction slip no.72, dated 14.12.1979(refer to Vol. V edition August 1979), prior to substitution the rule reads as under:-

(c) Copies of judgments supplied

for purposes of reporting to the reporters of private Law Journals which undertake to publish only judgments approved for reporting

... 3.00 (per copy)

(d) Copies of judgments supplied for purposes of reporting to the authorised representatives of newspapers which give an undertaking that copies so supplied will be used only for reporting such copies to be stamped "for reporting only"

... 3.00 (per copy)

58. Rule 7(i) (c) & (d) are renumbered as 7(i)(b) and (c) respectively. Thereafter the Rule 7(i)(d) and (e) are inserted vide Correction Slip no. 128, dated 20 October, 2009.

59. Rule 7, sub-rule (iv), (a) substituted, vide Correction slip No. 79-Rules/II.D.4., dated 20th September, 1983 prior to substitution, rule reads as under:-

"(iv) On application for "Express", "Urgent", and "Immediate", copy i.e., copies to take precedence of other copying work, a uniform extra fee shall be charged in respect of each category as under:-

(a) Express copies shall be supplied in respect of Judgments/ orders covering not more than ten pages and the charges for such copy shall be Rs. 4 as 'express-fee' and Rs. 2 per page of the material covered in the copy. These charges shall be paid in advance.

Note :-Where the main order has been passed by the judge/s in one case and the same order in single fee of Rs. 4 as "Express-fee" shall be charged in all such cases by treating them as one. The charges of Rs. 2 per page will, however, for the material covered, remain. The charge for the extra copies prepared along with the express copy shall continue to be at the ordinary rates.

Further substituted, vide correction slip No.108 Rules/II.D.4, dated 10th May 2001, prior substitution rule reads as under:-

Express copies shall be supplied in respect of Judgments/ orders covering not more than ten pages and the charges for such copy shall be Rs. 3 as 'express-fee' and Rs. 2 per page of the material covered in the copy. These charges shall be paid in advance.

Note :-Where the main order has been passed by the judge/s in one case and the same order in the other case , a single fee of Rs. 3 as "Express-fee" shall be charged in all such cases by treating them as one. The charges of Rs. 2 per page will, however, for the material covered, remain. The charge for the extra copies prepared along with the express copy shall continue to be at the ordinary rates."

60. For rule 7, sub-rule (iv)(b), vide correction slip No.108 Rules/II.D.4, dated 10th May 2001, prior substitution rule reads as under:-

Urgent copies shall be supplied at the rate of Rs. 2 as Urgent fee and Re. 1 per page of the material covered.

On vernacular copy the same charges as above

61. For rule 7, sub-rule (iv), (c) vide Correction slip No. 79-Rules/II.D.4., dated 20th September, 1983 prior to substitution, rule reads as under:-

“(c) In motion cases, certified copy of the order passed by the Motion Bench shall be supplied against the ‘Immediate application’ at a fixed rate of Rs. 5 per copy payable in advance. When the main order has been passed by the Hon’ble Judge/s in one case and the same order in the other connected case, the fee of Rs. 5 shall be charged for the copy of main order and Re. 1 for the copy of each other short order.

Note.- For the purposes of (b) above, the extra fee to be charged shall be for each paper copied which can properly be regarded as a separate paper e.g., every deposition of a witness or written statement of a party or order of the Court is a separate paper. In cases of doubt as to whether a paper is separate or not, the Deputy Registrar or Joint Registrar shall decide.”

Further substituted, vide Correction Slip No. 108 Rules/II.D.4, dated 10th May 2001, prior substitution rule reads as under:-

“(c) In motion cases, certified copy of stay and bail orders passed by the Motion Bench shall be supplied against the “Dasti Application” at a fixed rate of Rs.5 per copy in each case payable in advance in the copy branch.”

Further substituted vide correction slip no.110, Rules/II.D.4, dated 30th June 2003

(c) In motion cases, certified copy of stay and bail orders passed by the Motion Bench shall be supplied against the “Dasti Application” at a rate of Rs.5 per page in each case payable in advance in the copy branch.”

62. Rule 7(iv) (d), substituted vide Correction slip No.110, dated 30th June, 2003, prior to substitution the rule reads as under:-

“(d) *Dasti* Copy of order deciding the case in motion hearing shall be supplied against *dasti* application at a rate of Rs.5 per page, subject to a minimum of Rs.25, in each case payable in advance in the Copy Branch. The application for obtaining such copy shall be filed in the Copy Branch on the day the order is passed or on the next working day.”

63. Rule 11(A), inserted after the existing rule 11 vide Correction slip No.10-Rules/II.D.4, dated 12th February, 1986.

63-A. After Rule 12 and before Part C of Chapter 5 of High Court Rules and Orders the proforma added as Annexure ‘A’ vide Correction Slip no. 128, dated 20 October, 2009.

Chapter 5-C

64. In Rule 5 Part (c) , inserted vide Punjab and Haryana High Court Notification No. GSR 152/CA5/1917/S.3/74 Dated 2nd December, 1974.

65. In Rule 5 Part (d) , inserted vide Punjab and Haryana High Court Notification No. GSR 152/CA5/1917/S.3/74 Dated 2nd December, 1974.

66. In Rule 9 the words “Including Civil Writs” inserted after the words “Civil Cases” vide Punjab and Haryana High Court Notification No. GSR 152/CA5/1917/S.3/74 Dated 2nd December, 1974.

67. In Rule 9 the words “Including Criminal Writs” inserted after the words “Criminal Cases” vide Punjab and Haryana High Court Notification No. GSR 152/CA5/1917/S.3/74 Dated 2nd December, 1974

68. Rule 11-A inserted after the existing Rule 11 vide Punjab and Haryana High Court Notification No. GSR 152/CA5/1917/S.3/74 Dated 2nd December, 1974

Chapter 6-B

69. Rule 11-A inserted after the existing Rule 11 vide Punjab and Haryana High Court Notification No. GSR 124/CA25/1961/S.34(1)/74 Dated 5th October, 1974.

70. For rule 15, sub-rule 2 substituted vide Correction Slip no.21 Rules/II.D.4, dated 25th November, 1994, prior to substitution the rule reads as under:-

(2) Lady Advocates

Regional dress of subdued colour or colours with
Barrister's or advocate's gown and bands :

71. In Rule 15(2) in first proviso the words “except the Courts of District Judges, Additional District Judges, Sessions Judges, Additional Sessions Judges and Assistant Sessions Judges” omitted vide Punjab and Haryana High Court Notification No. 316/GS/CA25/1961/S.34(1)/74 Dated 15th November, 1974.

72. Proviso added to Rule 15 after the existing proviso, vide Notification No. G.S.R.61-CA/25/1961/S.34(1), dated 24th July, 1972:-

"Provided further that gowns need not be worn at any period of time during hot weather as may be fixed by the High Court from time to time".

73. Rule 16 added after the existing Rule 15 vide correction slip No.111/Rules/II.D.4, dated the 18th August, 2003.

16. Strike by advocate/advocates would be considered interference with the administration of justice and advocate(s) participating in the strike may be barred from practicing before the High Court and the Courts subordinate to it.”

Chapter 6-C

74. Added below sub-rule (i) of Rule 1, vide correction slip no.19, Rules/II.D.4., dated the 10th April 1991

*“Provided that ordinarily the Chief Justice or any of the Judges of the High Court should not recommend the candidature of any Advocate for being designated as a Senior Advocate.”

Further

For existing Part C of Chapter 6 substituted, vide correction slip no.102 Rules/II.D.4., dated the 2nd February, 1996, prior to substitution the rules reads as under:-

"(1) The name of an advocate for being designated as a Senior Advocate may be sponsored in any of the following ways :—

(i) by the Chief Justice or any of the Judges of the High Court;

*“Provided that ordinarily the Chief Justice or any of the Judges of the High Court should not recommend the candidature of any Advocate for being designated as a Senior Advocate.”

(ii) by any two Senior Advocates;

(iii) by an application made by the Advocate desiring to be designated as such:

Provided that in case of (i) and (ii) above written consent of the Advocate concerned shall accompany the proposal and in all the three cases the Advocate concerned shall append his certificate that he has not applied to any other High Court for being designated as Senior Advocate and that no application of his has been rejected by the High Court within the period of two years Prior to the date of the proposal or application.

(2) The Chief Justice and Judges may by a majority of two thirds of the total number of Judges decide to designate such an Advocate as a Senior Advocate, if in their opinion by virtue of his ability, experience and standing at the Bar he deserves such a distinction.

(3) The advocate to be designated as a Senior Advocate should have minimum standing of 10 years as an Advocate and the proposal may be forwarded to the Registrar, High Court of Punjab and Haryana either personally or by post.

(4) A proposal once rejected shall not ordinarily be renewed for another two years.

(5) The Registrar shall notify the result of the proposal to the Advocate concerned. Where the proposal is accented, intimation shall also be sent to the High Court Bar Association, Bar Council of Punjab and Haryana, Bar Council of India and the Registrar, Supreme Court of India."

Further

For existing rules contained in Chapter 6-C the following is substituted, vide correction slip no.117 Rules/II.D.4., dated the 31st January, 2007.

1. An Advocate shall be eligible to be designated as a Senior Advocate, if he/she-
 - (b) is an Advocate registered as such with the Bar Council of Punjab and Haryana for a period of not less than 15 years;
 - (ii) is an income-tax payee for at least five years before he applies for such designation and produces assessment orders for the aforesaid period;
 - (iii) has appeared in at least 100 cases in the High Court in the preceding year with a certificate by the Registry alongwith a list of the cases unless, in the exceptional cases, Hon'ble the Chief Justice dispenses with compliance of this condition ; and
 - (iv) is willing to file an undertaking that after designation he/she will not draft on file pleadings in any Court, shall in all cases be assisted by another Advocate, shall not direct, give consultation to any litigant and shall not make mentions or seek adjournments in any Court.

Procedure for enrolment as Senior Advocate:

- 2.(a) Any Advocate who is eligible and desirous of being designated as a Senior Advocate shall apply to the Court giving the requisite particulars and undertaking;
- (b) Such application should be recommended by at least two senior Advocates;
- (c) Upon receipt of such application, the Registry shall verify the facts stated therein and submit it to the Chief Justice alongwith report;
- (d) The Chief Justice, if satisfied, shall direct the placing of the application in Judges' meeting alongwith his recommendations;
- (e) After consideration of facts, particulars, undertaking, report and recommendation, the Court may by a majority of 2/3rds of the total number of Judges decide to designate the Advocate as a Senior Advocate, if in their opinion by virtue of this ability, experience and standing, he deserves such distinction.
- (f) After consideration of all facts, particulars, undertaking, report and recommendation, the

Court may decide to confer such designation upon the Advocate, who shall thereafter be mentioned as Senior Advocate in all the proceedings of the Court;

(g) The Registrar shall notify the result of the proposal to the Advocate concerned. Where the proposal is accepted, intimation shall also be sent to the High Court Bar Association, Bar Council of Punjab and Haryana, Bar Council of India and Registrar, Supreme Court of India; and

(h) The proposal once rejected shall not ordinarily be renewed for another two years.

Chapter 6-I

75. For rule 1(a) and (b), substituted vide corrections slip No. 22, Rules/II.D.4. dated the 19th May 1995, prior to substitution the rule reads as under:-

And Rule 1(b) deleted

1. In suits for the recovery of specific property, or a share of specific property, whether movable or immovable, or for the breach of any contract or for damages—

Suits for debt, damages and recovery of specific property.

(a) if the amount or value of the property, debt or damages decrees shall not exceed rupees five thousand according to the valuation for purposes of appeal to the Court, the fee shall be calculated at seven and a half per cent (7½) on the amount or value decreed, but the Court, may, in any case, otherwise order and fix such percentage as shall appear to be just and equitable;

(b) If the amount or value decreed shall exceed rupees five thousand, the fee payable shall be calculated at such a percentage as shall appear to the Court to be just and equitable.

76. Rule 8, substituted, vide corrections slip No. 22, Rules/II.D.4. dated the 19th May 1995, prior to substitution the rule reads as under:-

8. In any miscellaneous proceedings or for any matter other than that of appearing, acting or pleading in a suit prior to decree, the fee shall be fixed by the Court with reference to the nature and importance of the proceeding or matter : Provided that in no case shall the amount allowed in respect of such fee exceed rupees seven hundred and fifty.

Miscellaneous proceedings.

77. Rule 15, sub paras (i) and (ii) the figures “Rs.75 and Rs.15” substituted with the figures “Rs.750 and Rs.250”, vide Correction Slip no 22 dated 19.05.1995, prior substitution the rule read as under:-

Discretion of court to deviate from the scale laid in the rules.

15. If, in any instance, the payment of fees

according to the preceding rules shall not appear to the Court to be just and equitable the Court may exercise its discretion in allowing such fee as may appear just and equitable :

Fees in case of counsel dealing with dalals and touts.

Provided that in the case of a party represented by any Advocate, Vakil or Attorney (a) who is known or reputed to have any dealing communication or correspondence, directly or indirectly, with a dalal or with any person who frequents any Railway Station, *sarai* or other place as a tout or (b) who is known or reputed to employ in any capacity whatsoever any such person or any person who frequents any Railway Station, *sarai* or other place as a tout, the Court may order that no fee be allowed to such party for such Advocate, Vakil or Attorney or may, in its discretion, allow a fee for the same not exceeding the following sums, that is to say-

- (i) In first appeals from original decrees and in suits before the Court in the exercise of its ordinary or extraordinary original jurisdiction,—Rs. 75.
- (ii) In all other cases, the fee allowable under the above rules up to a maximum of Rs. 15

78. In Rule 16, proviso added vide Notification No. G.S.R.179-CA/19/cl.(27)/Amd.(1)/63, dated 5th June, 1963:-

“Provided that in regular first appeals from decrees and cases arising under the Company Law and Indian Succession Act heard before a Division Bench the taxing officer will allow fees on taxation to a party when at least two counsels have filed certificates of payment of fees on its behalf.”

CHAPTER 7-B

79. Rule 11 substituted vide Correction Slip No. 74, dated 1st December 1981, prior to substitution the rule reads as under:-

11. The Rules contained in this Chapter shall, so far as may be and with necessary modifications and adaptations, also apply to proceedings of a similar nature under any other Act including those under :—

- (i) Section 22 of the Punjab General Sales Tax Act, 1948 ;
- (ii) Section 57 or 60 of the Indian Stamp Act, 1899 ;
- (iii) Section 27 of the Workmen's Compensation Act, 1923 ;
- (iv) Section 21 of the Excess Profit Tax Act, 1940 read

with Section 66 of the Indian Income Tax Act ;

- (v) Section 19 of the Business Profits Tax Act, 1947,
read with Section 66 of the Indian Income Tax Act.

Chapter 7-H

80. Rule 6(1) substituted by notification No.GSR-169/C.A.70/71,S.23/Amd./79, dated 1.12.1979, prior to substitution rule reads as under:-

6. (1) Every petition, motion or reference in relation to Civil or Criminal contempt shall, unless the Chief Justice directs it to be heard by a larger Bench, be laid for motion hearing before a Division Bench of at least two Judges.

Further

In Rule 6(1) the words 'or criminal' shall be omitted vide correction slip no.109 Rules/II.D.4, dated 30th May 2001, prior to omission the rule reads as under:-

6. (1) Every petition, motion or reference in relation to Civil or Criminal contempt shall, unless the Chief Justice directs it to be heard by a larger Bench, be laid for motion hearing before a Division Bench of at least two Judges.

81. Rule 6(1), Explanation below sub-rule(1) omitted vide correction slip No.109 Rules/II.D.4, dated 30th May 2001, prior to omission the rule reads as under:-

Explanation: Nothing contained in the sub-rule shall apply to proceedings initiated by the High Court on its own motion

82. Rule 6 sub-rule 2, substituted vide correction slip No.109, Rules/II.D.4., dated the 30th May 2001, prior to substitution rule reads as under:-

2. Every petition, motion or reference in relation to civil contempt shall unless directed otherwise by the Chief Justice, be laid before a Single Bench.

83. Rule 6 below sub-rule 2 explanation added, vide correction slip No.109, Rules/II.D.4., dated the 30th May 2001, prior to substitution rule reads as under:-

Explanation: Nothing contained in sub-rule (2) shall apply to proceedings initiated by the High Court on its own motion. However, after service of notice on the persons charged, such petitions shall be heard and decided by a Bench of not less than two Judges.'

84. Rule 6 sub-rule (6) substituted, vide Correction Slip No. 8, dated the 21st December 1984, prior to substitution rule reads as under:-

(6) The High Court may, if satisfied that the person charged is absconding or likely to abscond or is keeping or likely to keep out of the way to avoid service of the notice order the issue of warrant of his arrest which, in the case of criminal contempt, may be in lieu

of or in addition to the attachment of his property under sub-sections (3) and (4) of section 17 of the Act. Such warrant may be endorsed in the manner laid down in section 71 of the Code of Criminal Procedure, 1973, in terms of the order of the High Court.

85. Form of Bailable Warrants added after the Form of Notice, vide Correction Slip No. 8, dated the 21st December 1984.

Chapter 7-K

86. Part-K added after Part-J in Chapter 7 vide Correction Slip No. 120 Rules /II.D.4, dated 14th August, 2007

Chapter 9-A

87. Rules 1, 2, 2(v) to 2(ix), 3, 4, 5 and 6 substituted, and Rule 7 shall be inserted then existing Rules 7, 8, 9, 10 and 11 may be renumbered as 8, 9, 10, 11 and 12 respectively, vide Correction Slip No.14 Rules/II.D.4, dated 22nd December 1989.

1. The Honourable the Chief Justice shall be in control of the administrative and executive work of the High Court and its distribution amongst the Honourable Judges.

Adminis-
trative
Business.

2. Notwithstanding anything contained in the preceding Rule, the following matters shall invariably be taken up and disposed of at a meeting of the Honourable Judges : —

Matters which
shall be
disposed of at
a Juidges'
meeting.

(v) The suspension of Subordinate Judges and District and Sessions Judges ;

(vi) The promotion of Subordinate Judges and District and Sessions Judges, in cases where it is proposed to pass over an officer;

(vii) Recommendations for the grant of pensions to Subordinate Judges and District and Sessions Judges, where it is proposed to recommend that the full pension earned be not allowed ;

(viii) Annual confidential remarks on the work of District and Sessions Judges ;

(ix) Any other matter which may be referred by the Honourable the Chief Justice to a meeting of the Honourable Judges.

Referring a
matter to
Judges'
meetings.

3. The Honourable Judge placed in charge of any branch of the executive or administrative business of the court may refer any matter relating to that branch to a meeting of the Honourable Judges.

Holding of
Judges'
meetings.

4. Meetings of all the Honourable Judges shall be called by the Honourable the Chief Justice when there is business for such meetings.

Quorum of
Judges'
meeting.

Quorum of
Judges'
meeting.

5. At all meetings of Honourable Judges three Judges shall form a quorum. The Honourable Judges present at a meeting, if three or more, may dispose of all the business, for the disposal or consideration of which such meeting was called, and such disposal shall be deemed to be a disposal by the Court.

Mode of
decision in
case of dif-
ference of
opinion.

6. In case of difference of opinion at a meeting the decision shall be in accordance with the opinion of the majority of the Honourable Judges present, and in case the Honourable Judges present be equally divided the Honourable the Chief Justice or in his absence the Senior Judge present, shall have a casting vote.

88. For Rule 7, the words “next two Senior Judges” substituted with the words “next four Senior Judges” , vide correction Slip No.20/Rules/II.D.4., dated 30th August 1991.

7. There shall be an Administration Committee of Hon’ble Judges which shall consist of the Hon’ble Chief Justice and **next two Senior Judges** which deal with such matters as may be delegated to it by the Hon’ble Judges at a meeting.

For Rule 7, after clause (ii) the following shall be added as clause (iii), vide correction Slip No.20/Rules/II.D.4., dated 30th August 1991.

- (iii) The issuance of Character Certificate to retired Judicial Officers for enrolment as advocate.

For Rule 7, existing proviso substituted vide correction slip no 37 Rules/II.D.4., dated 4th July 1995

Provided, that such annual confidential remarks shall be deemed to be final only after they have been circulated to and approved by all the Honorable Judges.

Further

Rule 7, substituted vide correction Slip No.127/Rules/II.D.4., dated 26th March, 2009, prior to substitution the Rule reads as under:-

7. There shall be an Administration Committee of Hon’ble Judges which shall consist of the Hon’ble Chief Justice and next four Senior Judges which deal with such matters as may be delegated to it by the Hon’ble Judges at a meeting.

The matters delegated to the Administration Committee shall inure alia include:

- (i) the posting and transfers of the members of Punjab and Haryana Civil Service (Judicial Branch) including those to be sent on deputation.
- (ii) The recording of confidential remarks on the work and conduct of members of Punjab and Haryana Civil Service (Judicial Branch) Officers:
- (iii) The issuance of Character Certificate to retired Judicial Officers for enrolment as advocate.

Provided, that such annual confidential remarks recorded by the Administration Committee on the work and conduct of PCS/HCS (Judicial Branch) Officers shall be deemed to be final only after they have been placed and approved in Full Court meeting of Hon’ble Judges.

