

CHAPTER 3
JURISDICTION

PART A.—RULES REGULATING THE PRACTICE
OF THE HIGH COURT IN THE HEARING
OF CAUSES AND OTHER MATTERS.

^[18]**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. with Lunch break of 45 minutes between 1 p.m. to 1.45 p.m.]

Hours of
business.

No fresh case will ordinarily be called on for hearing after 4-30 p.m.; but the hearing of a part-heard case may be continued so long as the court hearing it may deem necessary.

"Provided that the timings of the sittings of the Court for the transaction of judicial business may be changed during summer vacation from 7.30 a.m. to 1.00 p.m. (with half-an-hour interval from 10.30 a.m. to 11.00 a.m.) or such other timings as the senior vacation Judge may fix and notify for any such vacation."

¹{ Provided further that the office timings shall be 9.30 a.m. to 5.00 p.m. with Lunch break of 30 minutes from 1 p.m. to 1.30 p.m. 2nd and 4th Saturdays shall be observed as holidays. }

2. The Judges will sit singly or in Benches of two or more in accordance with a roster to be prepared from time to time. The roster will be prepared by the Deputy - Registrar with the approval of the Honourable the Chief Justice.

Roster of
Single and
Division
Benches.

3. Plaints appeals, applications and petitions for a preliminary hearing will be distributed by the Deputy Registrar two days previously. The distribution lists will be initialed by the Deputy Registrar, and no change in them will be made without his authorization and initials. A copy of the list will be supplied to the Judges' Readers and to the Bar room, and the Judges' Readers will bring to the notice of the Judges and the Deputy Registrar any alterations that appear unauthorized.

Distribution
of work to
be made by
the Deputy
Registrar.

4. Ordinary and urgent petitions shall be set down for hearing by the Deputy Registrar before Single and Division Benches in accordance with the roster for the time being prescribed under Rule 2 above.

Hearing of
ordinary
and urgent
petitions.

1. Proviso to Rule 1 is inserted vide C.S. No. 169 Rules/II.D4 dt. 18.8.2017.

Weekly and daily lists of civil and criminal cases and their adjustment.

5. (a) A register of civil cases, complete in every respect, will be maintained in the High Court. From this register cases will be taken up according to the order of institution for incorporation in a weekly list of cases to be heard by Division and Single Benches. For the convenience of counsel, a copy of the weekly list of each Bench will be sent to the Bar, seven days before the beginning of every week. When work is likely to run short, the weekly list will be supplemented by the Deputy Registrar. These weekly lists will be open to adjustment by counsel or parties on Fridays. The weekly lists will be broken up into daily lists and the daily lists will be sent to the Bar room at 4.15 p.m., on the day preceding the date of hearing, except the lists for Monday, which will be supplied to the Bar room at 12 noon on the preceding Saturday. Any cases not reached at the close of a day will ordinarily be placed at the top of the lists for the next day and similarly any cases not reached at the close of the last day of the sitting of the Court in a week, will ordinarily be placed at the top of the following week's list.

Note.—A case in which an application for the withdrawal of the case or passing a decree or order in accordance with a compromise arrived at between the parties has been made, be placed in the daily list, after part-heard cases, even though the case may not otherwise be complete.

(b) A separate register of criminal case within the jurisdiction of Division and Single Benches, complete in every respect, will be maintained in the High Court. From this register cases will be taken according to the order of institution for incorporation in weekly lists of cases to be heard by both Division and Single Benches. For the convenience of counsel a copy of the weekly list of each Bench will be sent to the Bar a week before the date of hearing. These weekly lists will be open to adjustment by counsel on Fridays. The weekly list will be broken up into daily list and dealt with as in paragraph 5(a) above.

(c) Full and special bench cases such as Matrimonial Reference, reviews and applications for leave to appeal to the Supreme Court, etc., which cannot conveniently be heard on ordinary Bench days, will be heard on the first Monday in every month or on such other day or days as the Chief Justice may direct in the event of the first Monday being a holiday, or the work being excessive for one day.

Cases to be heard in the order of date of admission.

6. Cases will be set down in the lists in the order or the date of admission except as directed below and will be heard in that order, unless directed otherwise by the court.

Exceptions.

Exceptions.—(A) Postponed cases take priority of all other in Division Bench lists, and in single Bench of all others in their own class.

(B) Remanded cases take priority of all others except postponed cases.

(C) Cases fixed for "actual dates" under the second proviso to rule 8 shall be listed first in the daily lists subject to part-heard cases. Cases fixed by judges for actual dates shall be listed next.

(D) Cases marked "very early", or "early" by order of a Judge or Judges and "commercial causes" shall take priority over ordinary cases.

(E) An appeal or petition against an order of remand of a lower court shall be marked "early" and shall take priority over ordinary cases.

(F) An appeal or petition in connection with which proceedings pending in the lower court are ordered to be stayed or have to be stayed in consequence of the record being sent for by the High Court for the disposal of such appeal or petition, shall be marked "early", shall take priority over ordinary cases and shall be set down for hearing within a period of three months from the date of stay or admission.

7. (i) An application for the postponement of a case shall be presented to the Deputy Registrar and shall not be taken direct to a Judge. Postponement
of cases.

(ii) Cases may be postponed by the Deputy Registrar or, in his absence, under the orders of such other Officer as may be in charge of the Judicial department for the time being

- (a) if, two days before the date of hearing, the record has not been received, or the case is otherwise incomplete ;
- (b) if, before the day of hearing, the death of a party is announced and an adjournment is thereby necessitated ;
- (c) if the lower courts have not complied with a precept or process.

(iii) Except as provided above, no application for the adjournment of a case shall be entertained unless a Bench or Judge, as the case may be, is satisfied that by reason of recent death, sudden illness or domestic bereavement a party cannot be properly represented at the hearing unless such order is made.

(iv) Ordinarily part-heard cases will be proceeded with on the following day or days till they are concluded.

Duty of
Counsel to
attend on the
date of
hearing.

8. Parties and their Advocates are required to attend Court on the day or days for which their cases are set down, and on subsequent days until their cases are disposed of or are postponed:

Provided that intimation of the pacca date fixed in a case will be sent by registered postcard (A.D.) to such parties as are not represented by counsel. Such postcard shall be sent to an address to be given by the party in response to the original notice of appeal calling upon him to furnish an address for service for the purposes of the appeal, or if he fails to give such address within one month of the service of such notice of appeal, to his address as given by the appellant in the memorandum of appeal. The posting of such post-card shall be deemed to be sufficient intimation to the party of the date fixed in the case :

Provided further that in a case in which an Advocate not ordinarily resident in Chandigarh has to appear, the Deputy Registrar may fix an "actual date" if such Advocate puts in a written request for that date to which he himself has obtained the consent of other counsel in the case. Such date shall not be altered except by any order of the Bench concerned, or of the first Division Motion Bench if the case is not listed before a particular Bench.

Disposal of
urgent
petitions.

9. (i) Urgent petitions must ordinarily be presented before 11 a.m., but may, in exceptional cases, be received not later than 3 p.m.

(ii) These petitions will be laid before the Deputy Registrar who shall ordinarily fix them for hearing on the next day. If, however, the Deputy Registrar is satisfied that there is sufficient urgency, he shall mark the petition for hearing on the same day :

Provided that during the summer vacation the time for presentation of all urgent petitions shall be up till 8.30 a.m. but in exceptional cases may be presented not later than 11.00 a.m. on all working days during such period.

