

PART C—POWERS DELEGATED TO THE
REGISTRAR FOR THE DISPOSAL OF
CERTAIN JUDICIAL MATTERS

1. In accordance with the powers vested in them by clause 35 of the Letters Patent, the Honourable the Chief Justice and Judges of the Punjab High Court have been pleased to delegate the following functions to the Registrar. These functions shall be performed by the Registrar subject to such general or special orders as may, from time to time, be passed by the Honourable the Chief Justice :—

Powers
delegated to
the Registrar
in civil cases.

- (i) Power to issue notices on an application for Probate or Letters of Administration or for revocation of the same.
- (ii) Power to dispose of all matters relating to the service of notices or other processes, including substituted service, except the power to dispense with service on *pro forma* respondents.
- (iii) Power to receive and dispose of an application under Order XXII, Rules 2, 3, 4 and 10 of the Code of Civil Procedure, and to amend the record, if necessary, except in cases under appeal to the Supreme Court.
- (iv) Power to appoint or discharge a next friend or guardian *ad litem* of a minor or person of unsound mind, except in cases under appeal to the Supreme Court, and to amend the record accordingly.
- (v) Power to receive and dispose of an application for the withdrawal of an appeal or a consent-decree or order.
- (vi) Power to receive and dispose of an application under Order XLI, Rule 10, of the Code of Civil Procedure.
- (vii) Power to receive an application under Order XLV, Rule 15, of the Code of Civil Procedure, and to issue notice thereon.
- (viii) Power to receive an application for substitution of names in an appeal to the Supreme Court, and to issue notice thereon.
- (ix) Power to receive and dispose of an application for the return of a document.

- (x) Power to require any person or party to file an affidavit with respect to any application or matter in respect of which he has power to exercise any discretion or to make any order.
- (xi) Power to call for a further deposit when the deposit already made by the appellant in an appeal to the Supreme Court is not sufficient to defray the cost of preparing the record.
- (xii) Power to order payment of the interest accruing on Government Promissory Notes deposited under Order XLV, Rule 7, of the Code of Civil Procedure, and to order the refund of any unexpended balance under Order XLV, Rule 12.
- (xiii) Power to direct in what newspapers the publication referred to in Order XLV, Rule 9-A of the Code of Civil Procedure, shall be made.
- (xiv) Power to pass orders under the note to Rule 10, Chapter 2-A, Rules and Orders, Volume V.
- (xv) Power to pass orders admitting those persons as advocates and pleaders whose admission does not in any way conflict with any rule or order of the Court. Cases in which the rules and orders of the Court are not fully satisfied should be referred to the Honourable the Chief Justice for orders. No person should be refused admission except by the order of a Judge :
- (xvi) Power to dispose of reference under rule 2 of Chapter 6-F(b), Rules and Orders, Volume V, in cases in which it is considered that the license should be renewed with a formal warning without charging the fees for the period for which the license has been renewed. In any case in which it is considered that full fees for such period should be charged, the matter should be referred to the Honourable the Chief Justice for orders.
- (xvii) Power to grant time for making up deficiency in court-fees in cases referred to him as Taxing Officer under Section 5 of the Court-fees Act, 1870. No application for extension of the time will be refused without the orders of the Court :

Provided that the Registrar may refer any matter under this rule to the Court for orders.

Note—The powers delegated to the Registrar under clauses (i) to (xvi) may also be exercised by the Deputy Registrar subject to general or special orders passed from time to time by the Honourable the Chief Justice.

2. Under the Code of Criminal Procedure, the Registrar has been delegated with the following functions:—

Powers delegated to the Registrar in Criminal cases.

Power to sign complaints under clause (a) of sub-section (3) of section 340 of Criminal Procedure Code.

3. In accordance with the powers vested in them by Clause 35 of the Letters Patent the Honourable the Chief Justice and Judges of the High Court of Punjab and Haryana have been pleased to direct that any person holding the post of Registrar, Joint Registrar or the Deputy Registrar of the High Court may be empowered by name by the Hon'ble the Chief Justice to perform any of the following duties :—

Duties which the Registrar may be empowered by name to perform.

- (a) To decide the question of the necessity for transcribing and printing any documents not specifically applied for by the parties to an appeal to the Supreme Court.
- (b) To enquire into complaints against legal practitioners and to dismiss *in limine* those in which no *prima facie* grounds appeal to him to have been made out, either without or after reference to the Bar Council.
- (c) To issue notice to parties in Criminal References.
- (d) [--]
[Clause (d) of Rule 3 deleted vide Correction slip no.146/Rule/II.D4 dated 01.6.2011].
- (e) To hear appeals from, or petitions for revision of the order of District Judges in cases affecting their establishment or those of the Courts subordinate to them, and to advise the Chief Justice what orders should be passed.

4. The Registrar or the Deputy Registrar shall be deemed to be performing judicial or quasi-judicial functions within the meaning of section 128(2)(i) of the Code of Civil Procedure when exercising powers referred to in Rules 1 to 3 above and their proceedings will be subject to revision by a Single Judge on the motion of the party aggrieved.

5. The Registrar or the Deputy Registrar may exercise all the powers of a Court under Section 152 of the Civil Procedure Code in respect of their own judicial or quasi-judicial orders.

[29]Note.—The duties assigned to the Registrar or the Deputy Registrar in the various chapters of this Volume may be performed by [a gazetted Officer] empowered to do so by the Chief Justice.]