

Maintenance of records and order sheet in civil trial

Presented by-
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Civil Judge(Jr. Div.),
Hawali, Meerut

Preparation of Records

- General Index- First paper of suit
- Order Sheet- Second paper of suit
- Classification of records
- Marking of documents(Exhibits)
- General things

Proforma order sheet

FORM No. 2
ORDER SHEET
(Chapter V, rule 143)

Original suit
-----on.
Case

of 19.....

Record

.....versus.....

Part.....

Number of order	Date of order	Order with initials of presiding Judge	Reference to application or paper on which the original order was written	Reference to number and date of report in compliance of the order
1	1	3	4	5

Order Sheet

Order sheet will include-

- Record of presence of parties, agents and pleaders
- Record of each order passed and material event occurred
- If such order/event is recorded elsewhere then note referring to such order/event.
- Each order sheet will be numbered serial wise.

Index proforma

(89)

APPENDIX 4C

Headings of forms (nos. 1 to 168) prescribed by the High Court.

FORM No. 1

GENERAL INDEX

(Chapter V, rule 143)

Original suit

----- no.

Case

of 19.....

..... versus.....

Record

Part.....

File (A A2, B, C or D)	Serial number of paper	Description paper	Number of sheets in paper	Court fees		Date of admis- sion of paper o record	State of document	Remarks
				Number of stamps	Value			
1	2	3	4	5	6	7	8	9

[Printed Form—Part VI—99.]

General Index

- A general index will be created to note down number of every paper of file. It has two parts-
 - Part 1-It will contain every paper in a suit, appeal, revision, reference, review.
 - Classification of records in 4 parts e.g. O.S., SCC, RM.
 - Part 2- It will contain every paper related to execution of order/decrees and all related proceedings to execution - Each paper will be marked by E series e.g. 1E, 2E, 3E.
 - If supplementary index is added then old index will be marked by red ink.

Classification of records

The cases in civil are classified in four categories-

- 1. Class I- suit, misc. Judicial case affecting immovable property, personal status, public trust, charities or endowments, Lunacy cases, guardian and ward cases, redemption cases, trust, land acquisition, Legal practitioner case- A-1, A-2, C, D.
- 2. Class II- suits, misc judicial cases affecting movable property, insolvency, succession, probate, intestate, company act- B,C,D.
- Class III- Suits tried by court of small causes and other court exercising small cause powers- C.
- Class IV- Non judicial case- D.

File A-1/B

- General index, plaint, schedule annexed to plaint, written statement, AWS.
- Original documents, final order, judgment, decree including decree u/s 47.
- Mortgage cases, the order absolute after decree and under order XXXIV C.P.C. decided ex parte.
- Award of arbitrators, petition of compromise, commissioner's map referred in decree.
- Memorandum of appeal, objection, judgment and decree in first appeal.
- Certified copy of every judgment, order, decree forwarded by Hon'ble High Court.
- Order in execution to be fully satisfied, incapable of execution, acknowledgment of satisfaction of decree.
- Acknowledgment of receipt of possession.
- Court copy of certificate of sale, order of sale, surety bond by owner.

File A-2/B

- Order Sheet, order under O1R 8 to 10, orde XLI Rule 20.
- Authority under order 1 Rule 12.
- Order granting leave under OII R2(3), O IX Rule 9, 13 and O LXI Rule 19, 21
- Summon, notice with return of service.
- Examination under order X, Evidence on memorandum under O XVIII Rule 5 & 8.
- Evidence taken on affidavit.
- Application under Order XXI Rule 16.
- Order of sale of immovable property of a surety.
- Final order under order XXI rule 58, 92, 99, 101.

File A-2

- Order under XXII, XXXI, XXXII, XLVII.
- Authority under Order XXVIII Rule 1.
- Accounts filed in cases under Act No. VIII of 1980.
- Judge's notes.
- Any other paper which presiding officer include in A-2.

File C

- All paper in suits tried by courts of small causes and other courts exercising small cause powers.
- C-1- All papers of proof filed by the parties.
- C-2- All other papers than A-1, A-2, B, C-1

File D

- All documents than above discussed will fall under this category e.g.
 - unserved summon, processes, notice in newspaper,
 - adjournments,
 - precepts,
 - proceedings for calling or sending papers of records,
 - inspection petition,
 - tender for diet money etc.

Exhibits during evidence

- Plaintiff document- Ex. 1, Ex. 2 etc.
- Defendant document- Ex. A, Ex. B etc.
- Court calling any document- Court Ex. 1, Court Ex. B
- Plaintiff witness- Ex.(1)-PW1
- Defendant witness- Ex.(A)-DW1

General things

- If number of documents of the same nature are admitted, then whole series should bear one figure or capital letter or letters, a small figure or letter in brackets being added to distinguish each paper of the series.
- As per rule 142, the name of court, case number and parties name should be at every sheet of document.
- As per rule 150, Reader will enter a memorandum on back side of each application after order on that application. e.g. permitted by court order dated...
- As per rule 159, all original documents to be kept in locked almirah in custody of munsarim and copy of this will be kept on file. The original document will be sent in court during hearing.

Thank You

Maintenance of records and order sheet in criminal trial

Presented by-
Yogesh Jain
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Hawali, Meerut

Preparation of Records

- Title and case Number
- Index
 - General Index
 - Exhibit Index
- Applications, affidavits, documents etc.
- Evidence
- Order Sheet

Title and Case Number

- Title- title will be State Vs. Accused In all cases
- In
 - Chapter XIX IPC(Criminal Breach of contract of service)
 - Chapter XX I.P.C.(Crime related to marriage)
 - Chapter XXI I.P.C.(Crime related to Defamation)
title will be complainant Vs. Accused

Case Number

1. The separate case no. For each case to be filed in magistrate court, transferred to any magistrate, committed to Session Court.
2. If case is transferred by C.J.M. then number will be given by transferee court.
2. If transferred to magistrate court then new case no. Will be numerator and old will be denominator.
3. If case is referred u/s 122, 323, 325, 360 of Cr.P.C. then new number will be given and the number will be followed by word referred e.g. 320/2023 referred.

Order sheet proforma

H.C.J. No. 10, Part IX

क्रमबद्ध आदेश-पत्र
(अध्याय 4, नियम 3)

न्यायालय
मामला
सरकार
निवासी

स्थान
सन् 20 ई०
वाद सन्

आदेश संख्या	दिनांक	आदेश अथवा आदेश का संक्षेप	पीठासीन अधिकारी के हस्ताक्षर	टिप्पणी

Order sheet

- Every routine order
- Note of each other order passed
- Note of next date of hearing
- Details of proceeding on that date

Index proforma

एच0सी0जे0 प्रपत्र संख्या 9 भाग-IX

सामान्य सूची (अध्याय 4, नियम 4)

न्यायालय

वाद संख्या

राज्य सरकार बनाम

व्यवसाय

निर्णय का दिनांक

स्थान

थाना

जाति

वर्ष 20

ई0

आत्मज

निवासी

थाना

जिला

अध्याय 12 नियम 1 के अनुसार पत्रावली का प्रकार

पत्र की क्रम संख्या	पत्रजात का प्रकार	नत्थी (क) या नत्थी (ख)	सम्मिलित किये गये पत्रजात के पत्रों की संख्या	न्यायालय शुल्क		पत्रजात की पत्रावली में सम्मिलित किये जाने का दिनांक	अभ्युक्ति
				टिकटों (स्टाम्पों) की संख्या	मूल्य		
1	2	3	4	5	6	7	8

General Index

- A general index will be created to note down number of every paper of file/
- It will include
 - Every Paper
 - File A(30 types of paper will include in file A)
 - File B(Every other document except file A)
 - Every document
 - Every material exhibit
 - If any document is removed from index then entry will made about removal of document.

File A

- Record of statement or confession, plea of 228, 229 and examination of 213, 281
- Cognizance proceedings
- Charge, Withdrawl order or stay of charge
- Compostion u/s 320 Cr.P.C.
- Evidence, Sentence, Judgment, death sentence order copy, Warrant, order commuting sentence etc., revisional/appellate court order, certificate of order/appeal, previous conviction proof
- Proceedings u/s 236, record of summary trial, order sheet, General Index,
- Petition of appeal, revision
- Commission with return and deposition, report of chemical examiner

File A

- Order of disposal of property, transfer order,
- Treasury receipt
- File of exhibit
- Bonds u/s 106, 108, 109, 110 Cr.P.C. and u/s 4 of UP First Offender's Probation Act
- Test identification parade document
- Paper related to identification of stolen property
- Map of locality placed on file of case

Index of Exhibits

- Three index will be created separately from the General Index. The item entered in this index will also be entered in general index. This index will deal with the document/weapon/other thing admitted in the evidence. Following number will be used for indexing-

- Prosecution Exhibit will be marked as Ex. K1, Ex K2 etc
- Defence Exhibit will be marked as Ex. Kha1, Ex. Kha2 etc.
- Material exhibit will be marked as Ex. 1, Ex. 2 etc.

These exhibits will be initialed by presiding officer. The initialed can be done at later stage also by then presiding officer.

If any document is subsequently rejected, returned or otherwise ceases to be exhibit then entry shall be made in index.

General things

- As per rule 34, the P.O. will appoint any officer of court for cancellation of stamp and documents filed in court.
- As per rule 25, all affidavits, pleadings, applications and petitions will be fairly and legibly written on one side. Exception is there for prisoners and any other person in restraint.

Thank You