—:: कार्यालय प्रधान जिला एवं सत्र न्यायाधीश, उज्जैन (म.प्र.) ::—

// ज्ञापन //

6458 24 JUN 2025

क्रमांक...../एक—6—30/11 उज्जैन, दिनांक जून, 2025

प्रति,

1. प्रधान न्यायाधीश/अतिरिक्त प्रधान न्यायाधीश
   कुटुम्ब न्यायालय उज्जैन
2. समस्त न्यायाधीशगण
   जिला उज्जैन

विषय :— Regarding circulation and implementation of Action Plan for Arrears Reduction in District Judiciary (APAaR-DJ)

संदर्भ :— माननीय मध्यप्रदेश उच्च न्यायालय का ज्ञापन क्रमांक सी/4199 जबलपुर दिनांक 18.06.2025.

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उपरोक्त संदर्भित विषयांतर्गत माननीय सर्वोच्च न्यायालय की (APAaR-DJ) योजना के **चतुर्थ चरण (जुलाई से दिसम्बर, 2025)** का क्रियान्वयन सुनिश्चित करने हेतु निर्देशित किया गया है।

साथ ही माननीय उच्चतम न्यायालय द्वारा चतुर्थ चरण में न्यायालयों में लंबित 10 वर्ष पुराने समस्त प्रकरणों को एवं ऐसे प्रकरणों को प्राथमिकता से निराकरण किये जाने हेतु निर्देशित किया गया है जो तृतीय चरण में निराकृत होने से रह गये हैं।

अतः आप माननीय सर्वोच्च न्यायालय की एस.ओ.पी. 3.2.4 चतुर्थ चरण (जुलाई से दिसम्बर—2025) के निर्देश क्रमांक बी के अनुसार अपने न्यायालय में लंबित निम्नानुसार प्रकरणों की सूची **दिनांक 30—06—2025 की स्थिति में** इस कार्यालय को **दिनांक 02 जुलाई—2025 तक** प्रेषित करें, उक्त सूची की एक प्रतिलिपि अभिभाषक संघ को प्रेषित करें तथा न्यायालय के नोटिस बोर्ड पर भी चस्पा करावें :—

- बिन्दु (b) के अनुसार सबसे पुराने 25 सिविल प्रकरण (निष्पादन प्रकरण छोडकर) सबसे पुराने 25 क्रिमिनल प्रकरण। (तृतीय चरण में शेष रहे प्रकरणों को शामिल करते हुए)
- बिन्दु (c) के अनुसार कुटुम्ब न्यायालय के सबसे पुराने 100 प्रकरण। (तृतीय चरण में शेष रहे प्रकरणों को शामिल करते हुए)
- बिन्दु (c) के अनुसार कामर्शियल कोर्ट के सबसे पुराने 100 प्रकरण। (यदि विशेष न्यायालय हो तो)
- बिन्दु (c) के अनुसार किशोर न्यायबोर्ड के सबसे पुराने 100 प्रकरण। (तृतीय चरण में शेष रहे प्रकरणों को शामिल करते हुए)

- बिन्दु (c) के अनुसार नामांकित पॉक्सो कोर्ट के सबसे पुराने 50 प्रकरण। (तृतीय चरण में शेष रहे प्रकरणों को शामिल करते हुए)
- बिन्दु (c) के अनुसार भ्रष्टाचार निवारण अधि. के सबसे पुराने 25 प्रकरण। (तृतीय चरण में शेष रहे प्रकरणों को शामिल करते हुए)
- बिन्दु (c) के अनुसार एन.आई.एक्ट. के सबसे पुराने 300 प्रकरण।
  (यदि विशेष न्यायालय हो तो)
  बिन्दु (c) के अनुसार भूमि अधिग्रहण के सबसे पुराने 200 प्रकरण। (यदि विशेष न्यायालय हो तो)
- बिन्दु (c) के अनुसार एम.ए.सी.टी. के सबसे पुराने 100 प्रकरण। (तृतीय चरण में शेष रहे प्रकरणों को शामिल करते हुए)
- बिन्दु (d) के अनुसार प्रत्येक न्यायालय में लंबित 06 माह से अधिक पुराने निष्पादन प्रकरण।

प्रेषित की जाने वाली सूचियों के प्रकरणों को CIS में Urgent Case feature की कार्यवाही पूर्ण करने के उपरांत ही कार्यालय में प्रेषित करें।

चाहे गये पकरणों की सूची में माननीय उच्चतम/उच्च न्यायालय से स्थगित प्रकरणों को शामिल न किया जाये।

इसके अतिरिक्त माननीय उच्चतम न्यायालय की SOP में दिये गये अन्य निर्देश लंबित प्रकरणों के भौतिक सत्यापन कर एवं लंबित प्रकरणों की वास्तविक स्टेज अंकित करने के संबंध में भी निर्देश जारी किये गये हैं ताकि NJDG पोर्टल पर प्रकरणों की वास्तविक स्थिति दर्शित हो सके। अतः आप यह भी सुनिश्चित करें कि न्यायालय में भौतिक रूप से उपलब्ध समस्त प्रकरणों का सी.आई.एस. में इन्द्राज हो चुका हो तथा प्रकरणों की वास्तविक स्टेज भी सी.आई.एस. में दर्ज हो चुकी हो तथा इस संबंध में आ रही विसंगतियों को दूर करें।

ऐसे विचाराधीन बंदियों के प्रकरणों जिनमें बंदियों द्वारा विचाराधीन बंदी के रूप में कुल सजा की 1/3 अवधि पूर्ण कर ली गई हो, को चिन्हित कर ऐसे प्रकरणों के शीघ्र निराकरण हेतु भी निर्देशित किया गया है। अतः आप अपने न्यायालय में ऐसे प्रकरणों को चिन्हित कर प्राथमिकता के आधार पर उनके शीघ्र निराकरण हेतु प्रयास करें।

न्यायालय में लंबित Unready Cases का प्रतिशत कम करने हेतु सार्थक प्रयास करें।

Action Plan अंतर्गत सूचीबद्ध ऐसे प्रकरणों जिनमें माननीय उच्च न्यायालय से कार्यवाही लंबित नहीं है, किंतू मूल अभिलेख माननीय उच्च न्यायालय प्रेषित किये जाने के कारण प्रकरण में सुनवाई लंबित है, की सूची इस कार्यालय की ओर प्रेषित करें।

दिनांक 01.07.2025 की स्थिति में सूचीबद्ध प्रकरणों में यदि पश्चात्वर्ती स्थिति में माननीय उच्च न्यायालय से प्रकरण में Stay कार्यवाही लंबित की जावे, तो उसकी जानकारी इस कार्यालय की ओर तत्काल प्रेषित करें।

प्रकरणों के निराकरण का प्रयास गुणदोषों के आधार पर किया जावे, Non-prosecution के आधार पर प्रकरणों को खारिज करने अथवा प्रकरणों का एकपक्षीय निर्णय नहीं किया जावे जब तक कि यह कार्यवाही प्रकरण के तथ्यों से पूरी तरह से उचित नहीं हो।

Action Plan अंतर्गत सूचीबद्ध ऐसे प्रकरणों जिनमें पश्चात्वर्ती स्थिति में अपील या रिवीजन संस्थित होती है, प्रकरण का अभिलेख प्रेषित करने के दौरान अपीलेट/रिवीजन न्यायालय को प्रकरण के Action Plan अंतर्गत सूचीबद्ध होने की जानकारी प्रेषित कर सूचना इस कार्यालय को भी प्रेषित करें।

Action Plan अंतर्गत सूचीबद्ध प्रकरणों में साक्ष्य के दौरान अनावश्यक स्थगन को कम करने के उद्देश्य हेतु Virtual Court Hearings का अधिक से अधिक इस्तेमाल किया जावे तथा Justis App एवं NJDG का अधिक से अधिक उपयोग सुनिश्चित करें।

Action Plan अंतर्गत सूचीबद्ध प्रकरणों में लाइलाज बीमारियों से ग्रस्त व्यक्तियों या वरिष्ठ नागरिकों से जुड़े प्रकरणों को प्राथमिकता दी जावे।

Action Plan अंतर्गत सूचीबद्ध प्रकरणों के त्वरित निराकरण हेतु प्रकरणों में अनावश्यक स्थगन नहीं देने तथा Short dates नियत करने का प्रयास किया जावे।

आपको यह भी निर्देशित किया जाता हैं कि, उक्त बिन्दुओं के अतिरिक्त SOP में दिये गये समस्त दिशा निर्देशो का भी कड़ाई से पालन किया जाना सुनिश्चित करते हुए सूचीबद्ध समस्त प्रकरणों को **दिसम्बर–2025 तक** निराकृत किया जाना सुनिश्चित करें।

संलग्नः उपरोक्तानुसार।

21/6/25
प्रधान जिला एवं सत्र न्यायाधीश,
उज्जैन (म.प्र.)

HIGH COURT OF MADHYA PRADESH, JABALPUR

No. C/4199 /I
III-1-5/57

Jabalpur, dated 18./06/2025

To,

The Principal District and Sessions Judges/
Principal Judges, Family Courts,
All in the State.

Sub: Regarding circulation of and Implementation of Action Plan for Arrears Reduction in District Judiciary (**APAaR-DJ**).

Ref:- Letter no. C-II/CFMC/Correspondence/2024-25 dated 27.05.2025 of the Member Secretary, Case Flow Management Committee, Supreme Court of India.

As directed, on the subject and reference mentioned above and in continuation to this Registry memo nos. C/3379 dated 27.04.2024, A/8770 dated 17.12.2024, A/796 dated 08.02.2025 and C/1061 dated 10.02.2025, please find enclosed herewith Action Plan for Arrear Reduction in District Judiciary **(APAaR-DJ)** for Phase IV & V for circulation amongst Judicial Officer(s) under your kind control.

You are further requested to ensure that the Action Plan for Phase IV & V be implemented with the letter and sprit.

Encl:- As above.

18/6/25

MUKESH RAWAT
REGISTRAR District Establishment

S.W
19.06.25

9 JUN 2025
8678

PHASE IV AND PHASE V OF THE ACTION PLAN FOR ARREARS REDUCTION IN DISTRICT JUDICIARY (APAaR-DJ)

3.2.4. Phase IV: July 2025 – December 2025

a. **More than 30, 20-30 and 10 years old cases**

For States with High Arrears viz. Uttar Pradesh, Bihar, West Bengal, Maharashtra and Odisha:

Dispose of all cases over 30 years old (including remaining cases which could not be disposed of in Phase III).

Dispose of cases which are between 20–30 years old (including remaining cases which could not be disposed of in Phase III). Endeavour should be made to dispose all such matters during Phase IV.

For States with Pre-Set Targets of 80% and 50% (as set in Phase II):

Continue efforts to dispose of any remaining 20–30 year old cases.Set additional locally tailored targets for disposal of cases that are 10 years old.

For Other States:

Ensure that all cases older than 10 years are resolved(including remaining cases which could not be disposed of in Phase III)., with progress tracked and finalized by the end of Phase IV.

b. **Identification and Disposal of 50 Oldest Cases in Courts**

In courts with fewer than 50 cases over 10 years old, or with no such cases, the District Case Management Committee (DCMC) shall:

(i) Identify the 50 oldest pending cases (including remaining cases which could not be disposed of in Phase III). Out of these 50 cases, the focus should be on and 25 criminal cases and 25 civil cases, excluding execution petitions.

(ii) Continue to publicly notify the identified cases on court notice boards and to the Bar Association.

(iii) Dispose these cases by the end of December 2025, provided they are not stayed by higher courts. This approach is expected to ensure that even in courts

with a lower volume of extremely old cases, the oldest cases still receive priority and efforts made for timely resolution.

c. **Reiteration of Phase II Targets in Exclusive Courts for the Fourth Phase**

In the fourth phase of action plan, High Courts may set the targets that were initially set in Phase II, in the following manner:

- Family Courts: 100 oldest cases
- Commercial Courts: 100 oldest cases
- Juvenile Justice Boards: 100 oldest cases
- POCSO Courts: 50 oldest cases
- Courts exclusively handling offences against women: 50 oldest cases
- Courts handling Prevention of Corruption Act cases: 25 oldest cases
- Courts handling Negotiable Instruments Act cases: 300 oldest cases
- Land Acquisition Cases (LAC): 200 oldest cases
- Motor Accident Claims Tribunal (MACT) matters: 100 oldest cases

The above targeted matters be monitored and the progress of case disposal in these courts be followed up to identify bottlenecks and areas for improvement.

d. **Execution Petitions:**

(i) In compliance of directions given in ***Periyammal (Dead Thr. Lrs.) v. V. Rajamani And Anr. Etc. 2025 INSC 329,*** the High Courts must identify and prepare a list of execution petitions pending for more than 6 months from the date of filing. Such cases must be prioritised and disposed of expeditiously. Principal District and Sessions Judges may also consider redistribution of the execution petitions to give effect to the directions given above.

(ii) If no execution petitions older than 6 months are pending, continue focus on resolving the oldest 20 execution petitions to ensure timely enforcement of judgments. This targeted approach is to ensure that even in courts with a relatively lesser backlog, the oldest and potentially most delayed execution petitions are prioritised, facilitating timely enforcement of judgments and effective administration of justice.

e. **Framing of issues**

In civil cases, where framing of issues has been pending more than one month after pleadings are complete, continued efforts should be made to expedite framing of issues in such cases. To implement this objective, courts may establish timelines for framing of issues, monitor progress and track the time taken to frame issues and adjust the timeline as needed to ensure efficient and effective case disposal.

f. **Framing of charges**

Similarly in criminal cases, continued efforts should be made to expedite framing of charges within one month where charges are required to be framed as per law. Expediting framing of charges enables the trial to proceed in a timely manner, reducing delays and promoting efficient justice delivery. It also ensures that the rights of the accused are protected, including the right to a speedy trial and adequate preparation to defend himself/herself. Further, delay in framing of charges may affect the sanctity of evidence on account of unavailability of witnesses, gaps in memory due to lapse of time etc. which may ultimately impact the outcome of the trial.

g. **Disposal of Interim Applications**

Expedite the disposal of interim applications in civil suits that have been pending for over three months (including remaining applications which could not be disposed of in Phase III). Continuous efforts to dispose of interim applications at the earliest would ensure the timely progress of the main case, help prevent delays in the trial process, facilitate the delivery of justice by addressing interim issues and contribute to reducing the pendency of cases.

h. **Addressing delay in service of summons/notices**

Identify and prepare a list of civil cases pending for more than 5 years on account of non-service of summons/notices. Such matters should be prioritised

and focus shall be on effecting service on the parties/witnesses. The District Case Management Committee (DCMC) may collaborate with all the stakeholders including officials from Revenue department, to effectuate service of summons/notices.

3.2.5 Phase V: January 2026 – June 2026

a. **Complete disposal of 30 years and 20-30 years old cases**

In the states of Uttar Pradesh, Bihar, West Bengal, Maharashtra and Odisha, focus shall be on final disposal of any remaining cases over 30 years and 20–30 years that could not be disposed of in the earlier phases, to bring down the number to zero.

In all other states, focus shall be to bring down the backlog of cases older than 10 years, if any remaining after Phase IV to zero.

The High Courts may allocate necessary resources to facilitate efficient disposal of cases. Progress of cases may be tracked and strategies adjusted in accordance with the special requirements.

b. **Identification and Disposal of 50 Oldest Cases in Courts**

In courts with fewer than 50 cases over 5 years old, or with no such cases, the District Case Management Committee (DCMC) shall:

(i) Identify the 50 oldest pending cases (including remaining cases which could not be disposed of in Phase IV). Out of these 50 cases, the focus should be on and 25 criminal cases and 25 civil cases, excluding execution petitions.

(ii) Continue to publicly notify the identified cases on court notice boards and to the Bar Association.

(iii) Dispose these cases by the end of June 2026, provided they are not stayed by higher courts.

c. **Reiteration of Phase IV Targets in Exclusive Courts for the Fifth Phase**

Continue to enforce and, if necessary, adjust the targets set in Phase IV for exclusive courts viz Family Courts, Commercial Courts, Juvenile Justice

Boards, POCSO Courts, Courts exclusively handling offences against women, Courts handling Prevention of Corruption Act cases, Courts handling Negotiable Instruments Act cases, Land Acquisition Cases and Motor Accident Claims Tribunal matters). For an effective implementation of the plan, the District Case Management Committee (DCMC) may:

1. Set up mechanisms to track progress and identify areas for improvement.
2. Collaborate with stakeholders, including Bar Associations, Legal Services Authorities and law enforcement agencies.
3. Provide training and support to court personnel.
4. Regularly review progress and adjust strategies as per the unique needs.

d. **Continued efforts qua Execution Petitions**

(i) In compliance of the judgment in ***Periyammal (Dead Thr. Lrs.) v. V. Rajamani And Anr. Etc. 2025 INSC 329,*** the High Courts must continue identifying and preparing a list of execution petitions pending for more than 6 months from the date of filing. Such cases must be prioritised and disposed of expeditiously. Principal District and Sessions Judges may also consider redistribution of the execution petitions to give effect to the directions given above.

(ii) If no execution petitions older than 6 months are pending, focus shall be on identifying and disposing of the 20 oldest execution petitions.

The expeditious disposal of execution petitions is crucial for timely enforcement of judgments, reduces the likelihood of further litigation and disputes, protects the rights of decree-holders and ensures they receive the benefits of the court's judgment, enhances public trust in the justice system by demonstrating its effectiveness and improves the overall efficiency of the judicial system.

e. **Framing of Issues**

In continuation of Phase IV, endeavour shall be made, as a matter of routine, to frame issues in civil cases within one month of completion of pleadings.

f. **Framing of Charges**

In continuation of Phase IV, endeavour shall be made, as a matter of routine, to frame charges within one month where charges are required to be framed as per law.

g. **Disposal of Interim Applications**

Expedite the disposal of any remaining interim applications in civil suits from Phase III that have been pending for over three months. Continuous efforts to dispose of interim applications at the earliest would ensure the timely progress of the main case, help prevent delays in the trial process, facilitate the delivery of justice by addressing interim issues and contribute to reducing the pendency of cases.

OTHER STEPS TO BE TAKEN IN PHASE IV & V

a. One-time physical verification and reconciliation of data

Comprehensive Physical Verification Process:

Identify Pending Cases: Compile a list of all pending cases across District Courts and Special Courts.

Physical Verification: Conduct a thorough physical verification of each case, ensuring that all documents, orders, and judgments are present and accounted for.

Update Existing Records: Update the existing records to reflect the current status of each case, including any changes or developments on the NJDG Portal.

Reconciling Discrepancies:

Identify Discrepancies: Identify any discrepancies in the status/stage of case as in the physical files and the existing records on the NJDG Portal.

Reconcile Discrepancies: Reconcile the discrepancies by verifying and correcting incorrect information and dating undated cases

The objectives of this comprehensive physical verification process are to

Ensure Accuracy: Ensure the accuracy of the status/stage of the pending cases.

Improve Transparency: Improve transparency and accountability in the judicial process.

Enhance Efficiency: Enhance the efficiency of court proceedings by reducing delays and errors.

Validate Records: Validate existing records, providing a reliable and trustworthy database for future reference

b. Identification of cases pertaining to those incarcerated for more than 1/3rd of the maximum term of imprisonment

Data from Jails to be called qua the undertrials who have already served 1/3rd of the maximum period of imprisonment, so that these cases may be expedited for disposal. To achieve this objective, following measures be adopted:

1. Identification of eligible undertrials: Identify undertrials who have served 1/3rd of the maximum period of imprisonment for their alleged offence.

2. Data collection: To identify undertrials as mentioned above, following data qua these undertrials be called from Jails:

- Date of filing of case
- FIR details
- Charges
- Duration of imprisonment
- Stage of trial

3. Expedited disposal: This data may be used to expedite the disposal of cases, potentially through priority listing, fast-track trials, bail hearings, plea bargaining etc.

c. **Augmenting Infrastructure of Forensic Science Laboratories**

Efforts should be made to ensure adequate infrastructure facility for Forensic Science Laboratories is present in proportion to the requirement of the courts at every level. To achieve this objective, efforts should focus on:

1. Assessing court requirements: Assessing the number and type of cases requiring forensic analysis, and estimating the corresponding infrastructure needs.

2. Infrastructure development: Developing and upgrading FSL infrastructure, including:

- Laboratory space and equipment
- Staffing and training
- Technology and software

3. Capacity building: Building the capacity of FSLs to handle increased workloads and complex cases.

4. Quality assurance: Implementing quality assurance measures to ensure the accuracy and reliability of forensic analysis.

d. **Addressing Shortages of Public Prosecutors**

Endeavour should be made by all High Courts to expeditiously fill up the vacancies as and when they arise. To achieve this, the High Courts may:

1. Monitor vacancies: Regularly monitor vacancies and anticipate upcoming vacancies due to retirement or expiry of contract. The High Courts may establish a system to track vacancies and anticipated vacancies.

2. Expedited filling of vacancies: Make every effort in collaboration with State governments and other stakeholders to fill vacancies promptly, avoiding delays and ensuring continuity in judicial functioning.

e. **Continuation of Other Steps which were taken in Phase I, II & III.** The steps qua redistribution of cases due to non-availability of judicial officers, Lok Adalat & Mediation, Unready Cases, Record with Appellate/Revisional

Courts, Stayed cases, Merit-based resolution of oldest/targeted cases, expedited handling of appeal/revision in targeted cases in higher courts, use of JustIS App/NJDG, use of virtual hearings in targeted cases, addressing the shortage of public prosecutors in courts, utilization of 'urgent case' feature in CIS for Action Plan cases, priority for cases involving individuals with terminal illness or senior citizens, minimizing adjournments and shorter dates in Targeted Cases and tailored case resolution targets for diverse districts be also continued for Phase IV and Phase V.

f. **Regular Meetings with District Judiciary**: The High Courts may hold regular meetings with all the Principal District Judges (through Video Conferencing) and ensure that there is no artificial disposal of cases and adjournments are granted where reasonable cause is shown.

g. **Monitoring and Continuous Feedback:** The High Courts to take review of compliance of APAaR (DJ) as issue of inequitable distribution of cases still persists. The High Courts may forward their suggestions qua enhancing effectiveness of APAaR(DJ).

h. **Regular DCMC Meetings:** It should be ensured that regular meetings of District Case Management Committees be convened to review progress, reassign targets as needed and resolve bottlenecks hindering case disposal.

i. **Inter-Agency Coordination:**

(i) Hold refresher meetings with senior police officers and Public Prosecutors.

(ii) Reaffirm appointment of a designated Nodal officer (including from the Revenue Department for decree proceedings) to oversee case-specific challenges, in case such Nodal officer has not been appointed.

(iii) Coordinate with State Governments to address vacancies and performance issues qua Public Prosecutors/Additional Public Prosecutors/Assistant Public Prosecutors through targeted training programs in Judicial Academies.

RECOMMENDATIONS:

(i) To comply with the mandate of ***Periyammal (Dead Thr. Lrs.) v. V. Rajamani And Anr. Etc. 2025 INSC 329,*** the High Courts may consider setting slightly higher unit criteria for disposal of execution petitions.

(ii) The High Courts may consider incentivising the disposal of targeted cases (both civil and criminal) by granting higher units qua disposal of such cases.

(iii) One-time physical verification of cases may be carried out during the short vacations of the Courts (Diwali, Holi vacations etc.) with the aim of completing the process by May 2026.

(iv) Disposal of the cases should be be in accordance with law. Even in targeted cases, adjournments should not be refused wherever genuine causes are shown.