

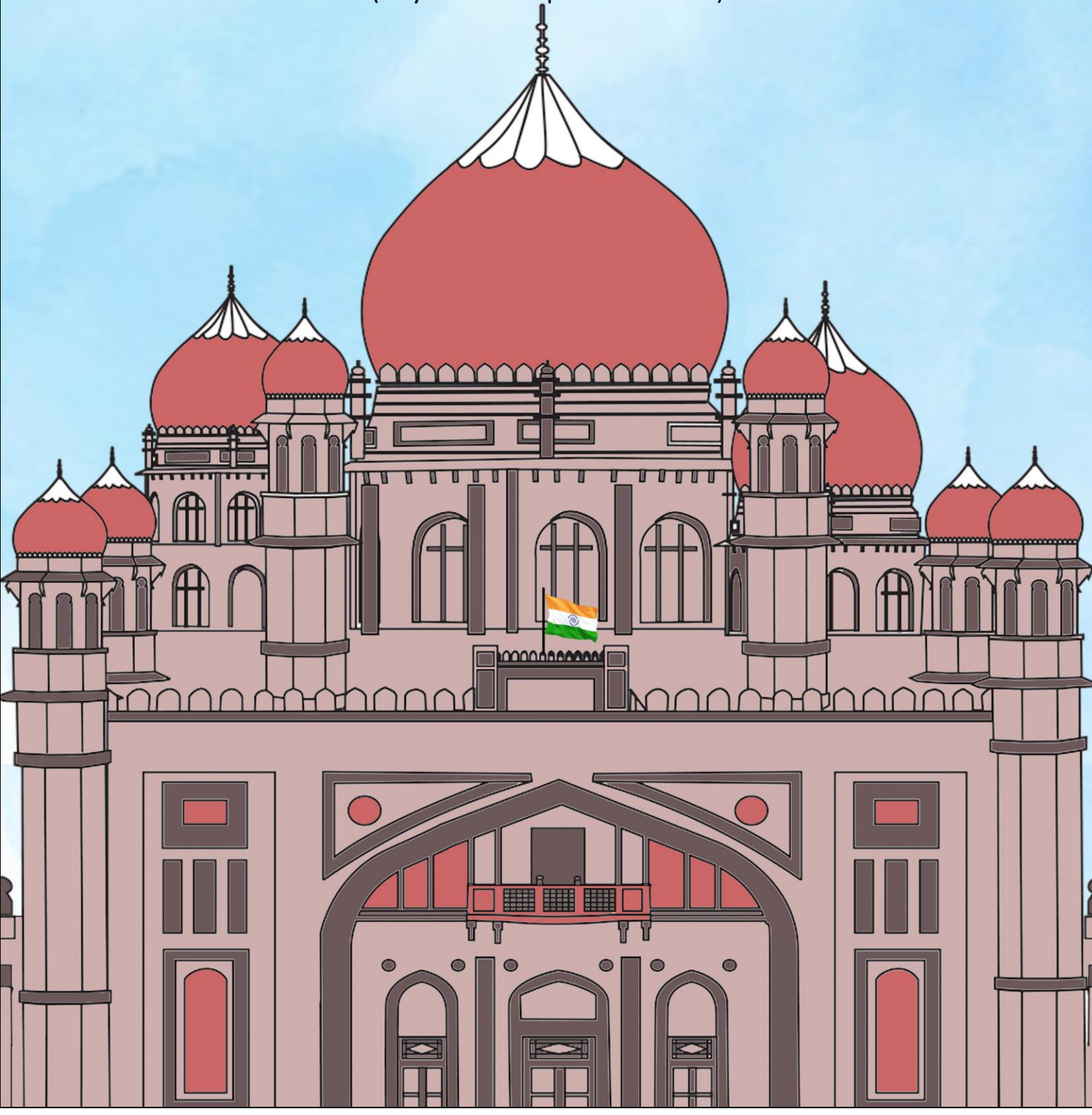


High Court for the State of Telangana

e-Newsletter

Volume III – Issue 3

(July 2021 – September 2021)





HON'BLE THE ACTING CHIEF JUSTICE
M.S. RAMACHANDRA RAO

EDITORIAL BOARD:
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FOREWORD

The Quarter period of this e-newsletter has been an important and interesting one, the world is slowly getting back to normalcy, albeit with few new norms brought by the Pandemic. The State Judiciary has also taken steps to adapt to the changing situations, as always, the High Court is at forefront of accepting and implementing change, where it is necessary.

During this period, the State Judiciary with the initiation of the Hon'ble the Chief Justice, has laid the foundation stone for advocate chambers building on 07-07-2021. On the occasion of 75th Independence Day, with the courtesy of Senior Advocate, Sri N. Ramachander Rao, one ambulance has been made available for the Advocates to deal with emergency situations.

A Trust Deed for the proposed International Arbitration and Mediation Centre (HIAMC), a brainchild of Hon'ble the Chief Justice of India, Sri Justice N. V. Ramana was signed by the Honourable the Chief Justice of India Sri N.V. Ramana and by the Minister, Industries, IT & E, Government of Telangana on 19-08-2021.

During this quarter, the High Court has lost one of the Jewels in its crown, Honourable Sri Justice P. Keshava Rao, the Judicial fraternity mourns his sad demise and remembers his commitment and dedication towards delivering justice to the needy.

Further, the Telangana High Court has bid farewell to Honourable Sri Justice Challa Kodanda Ram on his retirement on 25-11-2021 and also witnessed a Grand farewell to the Honourable the Chief Justice on her elevation as Supreme Court Judge on 26-08-2021.

Hon'ble Sri Justice P. Naveen Rao





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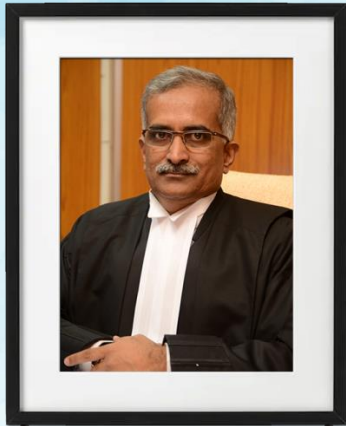
HON'BLE JUDGES OF THE HIGH COURT



Hon'ble the Acting Chief Justice
M.S. Ramachandra Rao



Hon'ble Sri Justice
A. Rajasheker Reddy



Hon'ble Sri Justice
P. Naveen Rao



Hon'ble Dr. Justice
Shameem Akther



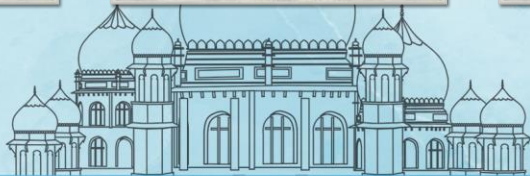
Hon'ble Sri Justice
Abhinand Kumar Shavili



Hon'ble Sri Justice
T. Amarnath Goud



Hon'ble Justice
G. Sri Devi





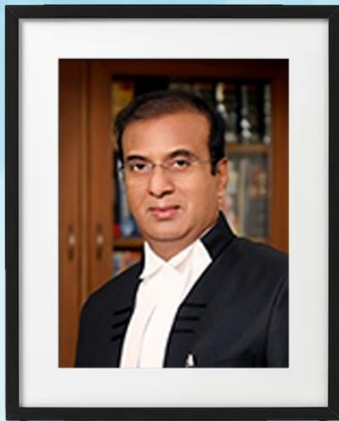
Hon'ble Sri Justice
T. Vinod Kumar



Hon'ble Sri Justice
A. Abhishek Reddy



Hon'ble Sri Justice
K. Lakshman



Hon'ble Sri Justice
B. Vijaysen Reddy





REGISTRARS OF THE HIGH COURT



Smt. G. Anupama Chakravarthy
Registrar General
reg.gen-tshc@ajj.gov.in



Smt. K. Sujana
Registrar (Administration)
reg.adm-tshc@ajj.gov.in



Smt. K. Sai Rama Devi
Registrar (Vigilance)
reg.vig-tshc@ajj.gov.in



Sri G.V. Subrahmanyam
Registrar (Judicial-I)
reg.jud-tshc@ajj.gov.in



Sri M. Radha Krishna Chahavan
Registrar (IT)-cum-CPC
cpc-tshc@ajj.gov.in



Sri T. Venkateswara Rao
Registrar (Protocol)
reg.pro-tshc@ajj.gov.in



Sri V. Ramesh
Registrar (Management)
reg.mgt-tshc@ajj.gov.in



Sri K. Gangadhara Rao
Registrar (Judicial-II)
reg.jud2-tshc@ajj.gov.in



Sri P. Sreedhar Rao
Registrar (O.S.D.)





Events of the High Court

● Registration of the trust deed for the proposed international arbitration centre in Hyderabad on 20th August, 2021



Hon'ble the Chief Justice of India Sri Justice N.V. Ramana, during his first visit to the city of Hyderabad after swearing in as the CJI, expressed his lordship's desire to set up first centre for international arbitration and mediation in Hyderabad and to make the city a legal and arbitration hub in the lines of IT and industry hubs as Telangana government came forward to provide all necessary infrastructure. A trust deed was signed on 20.08.2021 at the residence of the Hon'ble the Chief Justice of Telangana, by Hon'ble the Chief Justice of India Sri Justice N.V. Ramana and by Sri K. Taraka Rama Rao, Minister Industries, IT & E, Government of Telangana in the august presence of Hon'ble Judges of Supreme Court Hon'ble Sri Justice Lavu Nageshwar Rao, and Hon'ble Sri Justice R. Subash Reddy, Retired Judges of the Supreme Court Hon'ble Sri Justice Ravindran and Hon'ble Sri Justice M.S. Jaganatha Rao, along with Sri A. Indrakaran Reddy, Minister of Forest & Environment and S&T, Endowments and Law, Government of Telangana.

On this occasion, Hon'ble the Chief Justice of India stated that "The proposed International Arbitration and Mediation Centre in Hyderabad will go a long way in helping not only investors abroad but also those from India in settling their disputes in the shortest possible time. It will cost less for litigants compared to other international arbitration centres." Hon'ble Sri Justice L. Nageshwar Rao and Hon'ble Sri Justice R. Subash Reddy explained the opportunities and the scope for Hyderabad with the setup of the International Arbitration Centre.

- **Farewell to the Hon'ble Chief Justice Hima Kohli on her ladyship's elevation as Judge, Supreme Court of India on 27.08.2021:**



The full court of the High Court for the State of Telangana bid farewell to the Hon'ble Chief Justice Hima Kohli on her ladyship's elevation as Judge, Supreme Court of India on 27.08.2021. Hon'ble Judges of the High Court, Chairman, Bar Council of Telangana, Advocate General, the President, High Court Bar Association, Registrars of the High Court, and other dignitaries took part in the farewell. Her ladyship's esteemed endeavours, accomplishments, and landmark judgments were mentioned in high regard by various speakers on this occasion. The High Court Bar Association, in a separate ceremony bid farewell to Hon'ble Justice Hima Kohli.

- **Farewell to Hon'ble Sri Justice Challa Kodanda Ram on his lordship's retirement on 30.07.2021:**



The full court of the High Court for the State of Telangana led by Hon'ble the Chief Justice Hima Kohli bid farewell to Hon'ble Sri Justice Challa Kodanda

Ram on his lordship's retirement, on 30.07.2021. Hon'ble Judges of the High Court, Chairman, Bar Council of Telangana, Advocate General, the President, High Court Bar Association, Registrars of the High Court, and other dignitaries took part in the farewell. Hon'ble the Chief Justice took special note of the legal principles that Justice Kodanda Ram adhered to during his tenure and recalled several landmark judgments delivered by his lordship. The High Court Bar Association, in a separate ceremony bid farewell to Hon'ble Sri Justice Kodanda Ram.

● **The High Court pays tribute to Hon'ble Sri Justice P. Keshava Rao:**



Hon'ble Sri Justice P. Keshava Rao (1961-2021)

The full court of the High Court headed by the Chief Justice Hima Kohli held reference for Hon'ble Sri Justice Potlapalli Keshava Rao on 10-08-2021, Hon'ble Sri Justice P. Keshava Rao left this world on 09-08-2021, Monday. Hon'ble Chief Justice Hima Kohli remembered Hon'ble Sri Justice P. Keshava Rao as a man with zeal, passion, sincerity and impeccable integrity. Members of the High Court Bar Association assembled at the Association Hall and mourned the sad demise of Hon'ble Sri Justice P. Keshava Rao. His lordship's last rites were performed with full official state honours at Mahaprasthanam, Jubilee Hills.

● **Laying of foundation stone for "Lawyers' chambers" in the High Court premises on July 7th, 2021:**

Hon'ble Chief Justice Hima Kohli initiated the 'Bhoomi Pooja' on the occasion of laying the foundation stone for "Lawyers Chambers" to be constructed in the High Court premises on 07.07.2021. A 50-chamber building will be constructed for the convenience of the Advocates. The building will be constructed by the R and B department with the funds released by the State Government for this purpose. A Child Care Centre and Dispensary will also be accommodated in the building.





Some of the important and latest Judgments delivered by the Hon'ble Judges of this High Court

HON'BLE THE CHIEF JUSTICE HIMA KOHLI

Subject: Section 18 (4) of the MSME Act.

Case Details: M/s Vaishno Enterprises Vs Hamilton Medical AG; W.A.No.201 of 2021.

[\(Click here for full Judgment\)](#)

Date of Judgment: 17.08.2021

Facts: The appellant (respondent No.2 in W.P.No.21623 of 2020) has challenged the judgment dated 20.04.2021, passed by the learned Single Judge in a writ petition filed by the respondent No.1/writ petitioner for quashing the Intimation-cum-Notice dated 22.10.2020 and Notices dated 04.11.2020 and 12.11.2020, issued by the respondent No.2/Micro and Small Medium Enterprises Facilitation Council (in short, 'Council'), on an application moved by the appellant before the Council to act as an Arbitrator on a claim amount of Rs.8,21,68,340/-, raised on the respondent No.1/writ petitioner.

Held: In the case in hand, it is not in dispute that the appellant and the respondent No.1 had entered into a Consultancy Agreement on 10.02.2020, followed by an Agreement dated 24.08.2020. However, the appellant got itself registered as a micro, small and medium Enterprise under the MSME Act only on 28.08.2020. When the appellant was not even registered under the provisions of the MSME Act on the date of entering into the contract with the respondent No.1, the question of invoking the provisions of the said Act or seeking the benefits thereunder, by filing a Statement of Claim with the respondent No.2/Council in respect of monies due from services rendered by it till 28.08.2020 could not arise. Any registration could only have a prospective effect. Therefore, even if the appellant would have managed to succeed in overcoming the jurisdictional aspect, which is staring it at its face, at best, it could have invoked the MSME Act only in respect of those goods/services that were offered by it to the respondent No.1, post the date of its registration as a micro, small and medium enterprise under the MSME Act, but not anterior thereto.

However, the aforesaid aspect of registration of the appellant under the MSME Act subsequent to the date of entering into agreements with the respondent No.1 need not engage the court any further in the light of the view expressed hereinabove that the respondent N.2/Council lacks the inherent jurisdiction to try and entertain a reference submitted to it by the appellant against the respondent No.1/buyer as the

latter is not located in India, as prescribed in the statute. There is no manner of doubt that the respondent No.1 does not fall within the ambit of Section 18 (4) of the MSME Act and therefore, it cannot be treated as a “*buyer located anywhere in India*”, premised on a specious plea taken by the appellant that an individual was appointed by the respondent No.1 as a Special Power of Attorney/Special Agent who happens to be a resident of New Delhi, India.

In view of the aforesaid discussion, we are of the opinion that the impugned judgment does not warrant any interference. The present appeal is accordingly dismissed as meritless, along with pending applications, with no order as to costs.



 **HON'BLE SRI JUSTICE A. RAJASHEKER REDDY**

Subject: Challenging mutation of names in the revenue records.

Case Details: Smt K. Ambika Vs GP for Revenue Telangana in WP 33180/2018.

[\(Click here for full Judgment\)](#)

Date of Judgment: 20-07-2021.

Facts: The case of the petitioners is that originally Sy.No.387 consisted of an extent of Ac.5.12 guntas and belonged to one Srinivas Rao being the Pattadar and out of the said land, after the demise of the Pattadar, his son sold the subject land to the petitioners under registered sale deed vide Document No. 6552 of 2007 on 02-07-2007. The petitioners in turn have executed General Power of Attorney-cum-Development Agreement on 05-07-2007 in respect of the subject land for construction of semi-commercial building and accordingly they filed an application before the Commissioner, GHMC on 03-03-2015 for sanction of building permission for the proposed construction of residential-cum-semi-commercial complex. That the petitioners also paid the requisite fees and charges to the GHMC, but they received notice dated to 23-05-2017 requiring them to obtain NOC from the Endowments Department for grant of permission as a condition precedent.

That it is only then, the petitioners came to know about the impugned proceedings dated 06-09-2016 passed by the 3rd respondent who mutated the revenue record in the name of Sri Seetha Rama Chandra Swamy Temple of Attapur in place of their names without issuing any notice to them. That having understood that the 3rd respondent deleted their names and recorded the name of the Temple was inasmuch as based on the proceedings issued by the Assistant Commissioner,

Endowments Department, dated 15-09-2015 who addressed the RDO, Rajendranagar Division, to the effect changes in the revenue record to the effect that the subject land is an endowment property and listed as such in the endowed properties list, having realised that the 3rd respondent had unilaterally affected mutation in respect of the subject land without there being any material whatsoever to establish that the subject land is a endowed property, they filed the present writ petition.

Held: It is also to be noted that in writ petition being WP No.42444 of 2016 filed by the petitioners therein challenging mutation of names of various Temples in the areas of Attapur, Hyderguda, Gandipet, Naknampur, Budvel & Gaganphad, in the revenue records unilaterally without issuing any notice to the petitioners herein, solely based on the letter addressed by the Assistant Commissioner, Endowments, has been stayed by this Court.

In the circumstances, this Court is of the opinion that the impugned order is passed in violation of the principles of natural justice, bereft of reasons and there is no discussion or material either in the impugned order passed by the 3rd respondent or the order passed by the Assistant Commissioner, Endowments Department that formed the basis to delete the names of the petitioners in the revenue record in respect of the subject land. In the result, the writ petition is allowed and the impugned order is set aside.





Subject: Pre-Conception and pre-Natal Diagnostic and Techniques Act, 1994.

Case Details: J.J. Hospital Vs The State of Telangana in WP 19872/2021

[\(Click here for full Judgment\)](#)

Date of Judgment: 28-09-2021.

Facts: Petitioner is a Multi Speciality Hospital, registered under the Pre-Conception and pre-Natal Diagnostic and Techniques Act, 1994 and Rules made thereunder on 25.8.2006 valid for a period of five years. The registration was renewed on 25.8.2011 and on 25.8.2016. The last renewal was valid up to 24.8.2021. Petitioner applied for renewal of registration well in advance. His application for renewal was rejected by orders dated 3.7.2021. Aggrieved thereby, petitioner filed W.P. No. 17634 of 2021. This Court by order dated 29.7.2021 sets aside the order of rejection on the ground that incompetent authority has taken the decision and remanded the matter to the second respondent to take a decision afresh on the application submitted by the petitioner for renewal of registration. Pursuant to the directions of this Court, by order dated 16.8.2021 second respondent rejected the application of the petitioner. The renewal application is rejected on the ground that C.C.No. 1542 of 2018 on the file of the III ACMM Court, Hyderabad is pending. The said rejection order is under challenge in this writ petition.

Held: The following principles can be deduced from the treasure trove of precedents, few of which are referred to above:

(A) In exercise of power of judicial review under Article 226 of the Constitution of India, it being discretionary and equitable remedy, Writ Court may decline to grant the relief to a petitioner, in the given facts of a case, even if legal flaw in the decision of competent authority is made out.

(B) Even when there are procedural infirmities in taking a decision by statutory authority affecting the petitioner adversely, Court need not grant the relief prayed for, if setting aside the decision assailed would result in restoring another illegal decision.

(C) Even when there are procedural infirmities vitiating a decision of competent authority, it need not be set aside on that ground and petitioner has to prove prejudice caused to him and that if opportunity was afforded to him he could have persuaded the competent authority to take a different view and such is possible and permissible.

24. For all the aforesaid reasons, the writ petition fails and accordingly dismissed.



 **HON'BLE DR.JUSTICE SHAMEEM AKTHER**

Subject: Section 482 of the Code of Criminal Procedure, 1973.

Case Details: Dr. A. Chandrasekhar Vs The State of Telangana in CRLP 1621/2021.

[\(Click here for full Judgment\)](#)

Date of Judgment: 02-07-2021.

Facts: This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C), is filed by the petitioners/A-1 to A-3, seeking to quash the proceedings in Crime No.65 of 2021 on the file of Panjagutta Police Station, Hyderabad, registered for the offences punishable under Sections 405, 406, 420, 506 r/w 34 of IPC. The respondent Nos.2 and 3/de-facto complainants filed a private complaint under Section 200 of Cr.P.C., before the learned XIV Additional Chief Metropolitan Magistrate, Hyderabad, making certain allegations against the petitioners/A-1 to A-3. The learned Magistrate, having examined the complaint, referred the said complaint to the Station House Officer, Panjagutta Police Station, under Section 156(3) of Cr.P.C., for filing report, holding that the material available before the Court shows the requirement of thorough probe and investigation into the allegation, as levelled in the complaint. Learned Magistrate further held that during the course of enquiry, the police must bear in mind the direction of Hon'ble Supreme Court of India in Lalitha Kumari Vs. Government of U.P., in W.P.(Criminal) No.61/2008, dated 12.11.2013 and directed to call the matter on 16.02.2021 for report.

On such referral, the Station House Officer, Panjagutta Police Station, registered a case in Crime No.65 of 2021 against the petitioners/A-1 to A-3 for the offences punishable under Sections 405, 406, 420, 506 r/w 34 of IPC. Aggrieved by the registration of the said First Information Report, this Criminal Petition is filed to quash the same.

Held: In view of the information furnished in the complaint lodged by the respondent Nos.2 and 3/de-facto complainants under Section 200 Cr.P.C, it cannot be said that continuation of criminal proceedings against the petitioners/A-1 to A-3 would amount to abuse of process of law. On examination of the entire material placed before this Court, the allegations made against the petitioners/A-1 to A-3 do prima facie constitute offences punishable under Sections 405, 406, 420, 506 r/w 34 of IPC. The learned Magistrate has rightly held that the allegations in the subject private complaint require thorough probe and investigation. Investigation has to go on to find out the

truth or otherwise in the allegations made against the petitioners/A-1 to A3. The relief sought by the petitioners/A-1 to A-3 in this Criminal Petition cannot be granted. There are no merits in this Criminal Petition and the same is liable to be dismissed.



 **HON'BLE JUSTICE G. SRI DEVI**

Subject: Section 42 and 42-A of POCSO Act, 2012.

Case Details: Sayeed Aleem Vs The State of Telangana in CRLA- 1026/2019.

(Click here for full Judgment)

Date of Judgment: 17-08-2021.

Facts: The case of the prosecution, in brief, is that on 05.08.2016 P.W.1 lodged a complaint with the police stating that on 05.08.2016 at about 5.00 P.M., while his second daughter i.e., victim girl, aged about 12 years, was playing with cycle in the surroundings of his house, accused stopped the victim girl by offering to give playing stickers and money and accordingly the victim went to the accused, who took her into an auto, which is in front of his house, hugged her by pressing her breast and from there he dragged her into his house, closed the doors, removed her pant, laid down her on the ground and raped her forcibly by pressing her breast and thereafter the victim girl went to her house and informed the incident to her father (P.W.1). Basing on the said complaint (Ex.P1), P.W.11-Assistant Sub Inspector of Police, Adilabad Rural, registered a case in Crime No.146 of 2016 for the offences punishable under Section 354-B of I.P.C. and Section 12 of the POCSO Act, examined and recorded the statement of P.W.1. Thereafter, the section of law was altered to Section 376 (2) (i) of I.P.C. and Section 4 of the POCSO Act. The statement of P.W.2 was recorded by P.W.10-Sub Inspector of Police, which was videographed by P.W.4. On receipt of Ex.P11-F.I.R, P.W.12-Inspector of Police, Adilabad Rural, took up the investigation, recorded the statements of the witnesses, visited the scene of offence, prepared Crime Details Form and drew its rough sketch in the presence of P.W.6 and another. Ex.P4 is the C.D.F. along with rough sketch; thereafter recorded the statements of P.Ws.4 to 10; collected Ex.P3-Bonafide certificate of the victim girl from P.W.5; sent P.W.2/victim girl for medical examination; arrested the accused, recorded the confessional statement of the accused in the presence of P.W.7 and another and seized one cut-drawer from the possession of the accused and sent requisition for conducting potency test of the accused and collected the potency certificate; got recorded the statement of P.W.2

under Section 164 of Cr.P.C. After completion of investigation and collecting all the material papers, he filed a charge sheet, which was taken cognizance as Spl.S.C.No.104 of 2016.

Held: It is settled principle of law that no person can be punished twice for one offence. Looking into the gravity of nature of offence of sexual assault, particularly, rape on the victim below the age of 18 years, Section 42 and 42-A of POCSO Act, 2012 were incorporated to deal with such peculiar situation, which read as under:-

Section 42: Alternative Punishment:- *Where an act or omission constitutes an offence punishable under this Act and also under Sections 166A, 354A, 354B, 354C, 354D, 370, 370A, 375, 376, 376A, 376C, 376D, 376E or Section 509 of the Indian Penal Code (45 of 1860), then, notwithstanding anything contained in any law for the time being in force, the offender found guilty of such offence shall be liable to punishment under this Act or under the Indian Penal Code as provides for punishment which is greater in degree.*

Section 42A: Act not in derogation of any other law:- *The provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force and, in case of any inconsistency, the provisions of this Act shall have overriding effect on the provisions of any such law to the extent of the inconsistency."*

From the aforesaid Section, it is clear that if offence of sexual assault is punishable in relevant provision of POCSO Act and also in relevant provision of I.P.C., like 376 I.P.C., the trial Court is bound to punish the accused either in the relevant provision of POCSO Act, or under I.P.C. which is greater in degree. In view of Section 42 of the POCSO Act, no separate sentence was imposed by the trial Court for the offence punishable under Section 376 (2) (i) of I.P.C.

For the aforesaid reasons, this Court has no hesitation to hold that the judgment passed by the trial Court, is just and proper and, therefore, it does not require any interference by this Court.



 **HON'BLE SRI JUSTICE T. VINOD KUMAR**

Subject: Central Goods and Services Tax Act, 2017

Case Details: M/s Appario Retail Private Limited Vs The Union of India in WP 12183/2021 [\(Click here for full Judgment\)](#)

Date of Judgment: 28-09-2021.

Facts: This Writ Petition is filed primarily assailing the Order-in- Appeal No.HYD-GST-RRC-APP-091-20-21 (APP I), dt.29.12.2020, passed by the 4th respondent, whereby the said respondent had set aside the order passed by the 5th respondent in Appeal No.03/2020-RR(GST)JC-D-D, dt.24.06.2020, denying the refund of excess amount lying to the credit of electronic cash ledger of the petitioner maintained under the Central Goods and Services Tax Act, 2017 (for short, 'the CGST Act').

Held: The non-consideration of the said issue by the 4th respondent, in our view, is perverse, to say the least, as the basis of the 3rd respondent issuing the authorization for filing of appeal, itself is contrary to the clarification issued by the CBIC. It is settled position of law that the circulars/ instructions/clarifications issued by the board binds all the authorities under the Act, as has been held by the Hon'ble Supreme Court in Commissioner of Customs, Calcutta and Others V/s. Indian Oil Corporation Ltd., and Another (2004) 3 SCC 488).

Further, on the view taken by us, as to the eligibility and entitlement of the petitioner to seek refund of excess balance in electronic cash ledger, is also supported by a decision rendered by the Kerala High Court in M/s. Royale Edible Company V/s. Union of India and others (2020-VIL-649 Kerala) wherein the Kerala High Court also took similar view and directed the respondents therein to ascertain the excess amount lying to the credit of the petitioner in its electronic cash ledger, and after making provision for any known and determined liability of the petitioner towards tax, interest, penalty or other amounts under the Act directed the 2nd respondent to refund the said excess amount to the petitioner. Now, turning to the issue of maintainability of the writ petition, though an effective remedy of appeal to the Appellate Tribunal is provided under Section 109 of the CGST Act, it is an admitted fact that

the said Tribunal has not yet been constituted, though more than 3 years have elapsed after the CGST Act has been introduced. Thus, the petitioner cannot be compelled to wait for eternity to agitate its claim seeking refund of the amount to which it is entitled to under the statute and also blocking its funds affecting its cash flows, merely because of existence of (non functional) alternate forum/remedy on paper, by not invoking the jurisdiction under Article 226 of the Constitution of India. Further, mere existence of alternative remedy is no bar for invoking the jurisdiction under Article 226 of the Constitution of India, when right to carry on business is being impeded, resulting in violation of fundamental right as guaranteed under Article 19(1)(g) of the Constitution of India.

Thus, considered from any angle, the impugned Order-in-Appeal passed by the 4th respondent, cannot be held to be a validly passed order for it to be sustained. For the reasons indicated above, the impugned Order-in-Appeal is liable to be set aside.



 **HON'BLE SRI JUSTICE K. LAKSHMAN**

Subject: Section 173 (2) to (6) Cr.P.C. and 173 (8) 174 of Cr.P.C.

Case Details: Sri Mahenderkar Amarnath Vs The State of Telangana in WP 12913/2020
[\(Click here for full Judgment\)](#)

Date of Judgment: 05-07-2021

Facts: (i) The petitioner herein has lodged a complaint on 13.05.2016 with respondent No.3 complaining the suspicious death of his brother - Mahenderkar Pandarinath, who received severe burn injuries and fall on the road side;

(ii) on receipt of the said complaint, respondent No.3 has registered a case in Crime No.63 of 2015 under Section - 174 of Cr.P.C.;

(iii) during the course of investigation, on 25.03.2017, respondent No.3 has obtained dying declaration of the deceased recorded by XIV Additional Chief Metropolitan Magistrate (for trial of Communal Disturbances), Nampally, Hyderabad;

(iv) thereafter, considering the said dying declaration, respondent No.3 has altered the section of law from Section - 174 of Cr.P.C. to Section - 302 read with 34 of IPC and also filed an alteration memo to that effect;

(v) despite altering the section of law from Section - 174 Cr.P.C. to Section 302 read with 34 of IPC basing on the dying declaration, respondent No.3 has not conducted fair investigation and he has not apprehended respondent Nos.4 to 7 herein and others who involved in the said offence;

(vi) in the dying declaration, names of respondent Nos.4 to 7 were specifically mentioned by the deceased and the role played by them in commission of offence;

(vii) respondent No.3 has blatantly ignored the said dying declaration;

(viii) the petitioner herein has submitted representations to respondent No.2, dated 30.05.2016 and 20.06.2016 with a request to instruct respondent No.3 to conduct and complete investigation in a fair and transparent manner;

(ix) respondent No.2 has instructed respondent No.3 to complete investigation and submit report by 15.06.2020;

(x) even then, respondent No.3 has not conducted and completed the investigation in fair and transparent manner, and on the other hand, he is trying to help respondent Nos.4 to 7 by conveniently ignoring the dying declaration recorded by the Magistrate which is a crucial piece of evidence; and

(xi) therefore, the present writ petition.

Held: In *Mekala Madhusudhan Reddy v. Director General of Police* (2020 SCCONLINE AP 964), a learned Single Judge of High Court of Andhra Pradesh held as under:

“In view of the law, to avoid unreasonable delay by ordering further investigation without any reasonable cause is violative of Article 21 of the Constitution of India. In the present case, further investigation to be conducted is only to decide the complicity of the persons who are not arrayed as accused before this Court i.e. the three persons who are shown as Accused Nos. 7 to 10 in the counter filed by Deputy Superintendent of Police, C.I.D, Kurnool, based on certain allegations made by the defacto complainant. Investigating Agency did not file any report against the other three persons proposed to be arrayed as accused as there was no material. Moreover, the defacto complainant maintained silence for all these four years and suddenly lodged representation now. It is not known to whom the representation was submitted. However, that is the basis for the present situation. As discussed above, further investigation is only in connection with the report filed under Section 173 (2) to (6) Cr.P.C. and Section 173 (8) Cr.P.C. which permits filing of further report/reports and it must pertain to report but not for adding additional accused. The only course open to the Investigating Agency to add additional accused and try them before the Sessions Court is to follow the procedure contemplated under Section 319 Cr.P.C. But, circumventing the procedure provided under Code of Criminal Procedure, the Director General of Police entrusted further investigation to Additional Director General of Police, C.I.D, A.P to investigate into the complicity of the persons who are not arrayed before this Court which is unsustainable under law even by exercising power under Section 173(8) Cr.P.C.”

In view of the same, as discussed above, in the present case, the Investigating Officer has not conducted investigation in fair and transparent manner. There are serious deficiencies in conducting the investigation. At the cost of repetition, it is relevant to note that this Court vide order dated 21.08.2020 directed respondent No.2 to look into the matter. But, unfortunately, respondent No.2 did not supervise the investigation and allowed the Investigating officer to conduct and conclude the investigation in an unfair and non-transparent manner.

In fact, respondent No.2 herself is not clear with the legal position with regard to dying declaration. Therefore, it is a fit case to order for fresh investigation / de novo investigation, by any Agency, like CBCID. Accordingly, point No.2 is answered.

Accordingly, the present Writ Petition and I.A. No.2 of 2020 are allowed. The action of respondent Nos.2 and 3 in not conducting the investigation in a fair and transparent manner by considering the dying declaration in Crime No.63 of 2016 of Shankarampet (A) Police Station, Medak District, is declared as illegal and contrary to the principle laid down by the Apex Court in the judgments referred supra. Consequently, investigation in Crime No.63 of 2016 of Shankarampet (A) Police Station, Medak District is entrusted to CBCID, Telangana State, for conducting fresh investigation. Respondent Nos.2 and 3 are directed to hand over the file in Crime No.63 of 2016 to CBCID forthwith for the purpose of conducting fresh investigation. CBCID shall conduct investigation in Crime No.63 of 2016 in a fair and transparent manner, as expeditiously as possible, in accordance with law. However, there shall be no order as to costs.



 **HON'BLE SRI JUSTICE B. VIJAYSEN REDDY**

Subject: Order XXIII Rule 1(3)(b) of the Code of Civil Procedure, 1908.

Case Details: Guntuka Sudharnani Vs Gajji Suraiah in CRP 317/2017.

[\(Click here for full Judgment\)](#)

Date of Judgment: 16-07-2021.

Facts: This revision is filed challenging the order dated 27.10.2016 in I.A.No.262 of 2016 in O.S.No.1697 of 2012 passed by the Principal Junior Civil Judge, Warangal whereunder an application filed seeking permission to withdraw the suit with liberty to institute a fresh suit was dismissed.

2. The petitioner is the plaintiff in O.S.No.1697 of 2012, which is filed seeking relief of permanent injunction in respect of agricultural land described in the plaint schedule. An application in I.A.No.262 of 2016 was filed by the petitioner/plaintiff under Order XXIII Rule 1(3)(b) of the Code of Civil Procedure, 1908 seeking permission of the Court to withdraw the suit with liberty to institute a fresh suit in respect of the subject matter of the suit.

3. In the affidavit filed in support of I.A.No.262 of 2016, the petitioner stated that she is the absolute owner and possessor of the plaint schedule property. Her husband passed away and she is one of the legal heirs along with her children. On a legal advice, she filed injunction simplicitor suit restraining the respondents from interfering with the plaint schedule property. The respondent/defendant No.1 filed a written statement in the suit alleging that they are in possession of Ac.8.09 guntas and the remaining Ac.0.13 guntas of the plaint schedule property is in possession of one Lakshmi Narayana and M. Rupa. It is alleged by the respondents that the husband of the petitioner/plaintiff has received sale consideration and executed simple sale deeds in favour of the defendants. In view of the defence of the respondents, the petitioner intended to file a comprehensive suit against the respondents/defendants as the simple suit for perpetual injunction is not maintainable and the same constitutes sufficient ground to permit the petitioner/plaintiff to institute fresh suit.

4. The respondents/defendants have not filed counter to the aforesaid application.

5. Under the impugned order, the Court below dismissed the application by giving a reason that the petitioner/plaintiff was contesting the suit since 2012 onwards but the present application is filed in 2016 (wrongly typed as 2013), after completion of her evidence including cross-examination and moreover, at the stage of judgment. The

Court below observed that the petitioner/plaintiff is not diligent in prosecuting her case and only with a view to defeat the interest of the contesting respondents, the present application is filed. The application cannot be entertained at a belated stage by permitting the petitioner/plaintiff to create a fresh round of litigation. As the evidence of the defendants is not yet completed, the relief cannot be considered and the petitioner has got every right to contest the suit.

6. Mr. R.A. Achuthanand, learned counsel for the petitioner, submitted that the petitioner intends to withdraw the suit and file a comprehensive suit for declaration. The Court below ought to have granted permission to withdraw the suit, if necessary by imposing costs. The matter is posted for cross-examination of defendants and not for judgment, as observed by the Court below. The withdrawal application can be filed at any stage and even at the stage of appeal. The ground of filing comprehensive suit is a sufficient ground within the meaning of Order XXIII Rule 1 (3) (b) CPC. The provision gives unqualified right to the plaintiff to withdraw the suit in the circumstances mentioned therein. The Court below ought to have allowed the application, as the petitioner/plaintiff is seeking larger relief against the respondents / defendants. The application is not filed at belated stage, as pointed out by the Court below. The observation of the Court below that it will lead to fresh round of litigation is not a sound consideration applying the principles under Order XXIII Rule 1 CPC. Withdrawal of suit is based on public policy as the party can take leave to withdraw the suit or without taking leave of the Court can abandon the suit and, in that case, he/she is precluded from bringing a fresh suit on the same cause of action. These parameters have not been considered by the Court below.

Held: The application of the petitioner, on the face of it, lacks bonafides. If really the petitioner was advised to file a comprehensive suit, in the light of the defence taken by the respondents/defendants, the application for withdrawal should have been filed immediately after written statement was filed. But the petitioner chose to wait until evidence is concluded. It is the contention of the petitioner that the suit is coming for her cross-examination. Be that as it may, the petitioner has to make out a case of “sufficient ground” so as to withdraw the suit. The petitioner merely stated that she intends to file a suit with comprehensive relief. The affidavit does not say what sort of comprehensive relief the petitioner intends to seek in the new suit. The suit filed by the petitioner is an injunction based on title to the property. It is always not necessary that there should be a relief of declaration in a title suit. The petitioner cannot be permitted to take away the advantage accrued to the respondents, who are defending the suit. By contesting the suit, the respondents have put forth their rival claim over the title and defended the petitioner’s claim. After cause of action has accrued for

filing of the suit and parties with their eyes wide open litigate before the Court, it would be unjust to permit the petitioner to withdraw the suit at whatever stage the petitioner chooses to and at her whims and fancies. The petitioner has not only to explain the delay in filing the application but at the same time has also to spell out clearly as to what nature of the so called “comprehensive suit” she intends to file. There is no averment in the affidavit that due to any defective pleading, the suit is sought to be withdrawn. What is a “comprehensive suit” cannot be a guessing work of the Court. It should be deducible from the affidavit averments. From the reading of the affidavit, it cannot be said that the petitioner has bonafides for withdrawing the suit and this Court is of the opinion that the petitioner has not shown any sufficient cause for withdrawing the suit as contemplated under Order XXIII Rule 1 (3) (b) CPC.





Statement of work done in the High Court as on 30-09-2021

NATURE OF CASES	PENDING AT THE BEGINNING OF THE MONTH I.E., AS ON 01.07.2021	INSTITUTIONS FROM 01.07.2021 TO 30.09.2021	DISPOSALS FROM 01.07.2021 TO 30.09.2021	PENDENCY
(A) ORIGINAL SIDE (CIVIL)	132232	10904	6366	136770
(B) APPELLATE SIDE (CIVIL)	63267	1462	1437	63292
(C) CRIMINAL SIDE	34830	2863	2493	35200

GRAND TOTAL:

GRAND TOTAL OF CIVIL CASES	195499	12366	7803	200062
GRAND TOTAL OF CRIMINAL CASES	34830	2863	2493	35200
GRAND TOTAL OF MAIN CASES	230329	15229	10296	235262



Disclaimer: Above statements are compiled on the basis of figures & Information received from the respective Registry.



Sanctioned strength, working strength, and vacancy position of Judicial Officers in the State of Telangana as on 30-09-2021

SL. NO.	CATEGORY			SANCTIONED STRENGTH	WORKING STRENGTH	VACANCIES
1	DISTRICT JUDGES			144	88 (Including 12 temporary promotions)	56
	Category	No. of posts	Officers working			
	District and Sessions Judges working under 65% quota	94	55 (Including 12 temporary promotion)			
	District and Sessions Judges working under Direct Recruitment under 25% quota	36	27			
	District and Sessions Judges working under Accelerated Recruitment under 10% quota	14	6			
2	SENIOR CIVIL JUDGES			102	90 (Including 4 Senior Civil Judges working under Rule 14)	12
3	JUNIOR CIVIL JUDGES			228	186	42
	TOTAL			474	364	110

❖ FILLING UP OF VACANCIES IN JUDICIAL SERVICE:

DISTRICT JUDGES UNDER DIRECT RECRUITMENT – 2020: The information with regard to the increase in vacancy position from eight (08) to nine (09) and notified 9 posts of District Judge (Entry Level) under direct recruitment in the High Court's website on 11.02.2020 and 28.09.2020, and informed the same to the Government of Telangana, as the Hon'ble Governor of the State is the Appointing Authority to the posts of District Judge. Accordingly, the Government of Telangana issued and published a Notification on 21.10.2020 inviting applications from the eligible candidates for appointment to nine (09) posts of District Judge (Entry Level) fixing the last date for submission of applications as 09.11.2020. On receipt of the applications from the candidates, the Government forwarded 590 applications to the High Court for taking up the further process of recruitment. Further, the written examination consisting of Paper I, II and III, i.e., Civil Law, Criminal Law, and English was conducted on 20.03.2021 and 21.03.2021 at Hyderabad.

Further process of recruitment i.e., evaluation of answer sheets in completed and the hall ticket numbers of qualified candidates in written examination was hosted on website on 16.07.2021.

Oral Interviews were conducted on 27.07.2021 to two (02) qualified candidates and the hall ticket number of provisionally selected candidate are placed on the official website of the High Court on 12.08.2021.

A letter dated 16.08.2021 was addressed to the Government of Telangana to issue orders appointing of provisionally selected candidate by the High Court, as District Judge, after verification of antecedents and the Government vide letter dated 25.09.2021, issued G.O.Ms.63, General Administration (J&RA) Department.

DISTRICT JUDGE (ENTRY LEVEL) UNDER DIRECT RECRUITMENT FOR THE YEAR 2021:

- a) As directed, NIL vacancy position was notified on the website of the High Court vide Notification No. 999-A/2021-RC, dated 08.04.2021.
- b) District Judge by transfer through a Limited Competitive Examination (Accelerated Recruitment by transfer (10% quota)): 06 (six) vacancies were notified for the year 2020.

DISTRICT JUDGES UNDER ACCELERATED RECRUITMENT BY TRANSFER – 2020:

In response to the notification issued on 11.03.2020 for appointment to 06 posts of District Judge (Entry level) to be filled by transfer through Limited Competitive Examination (Accelerated Recruitment by transfer), no applications were received, as such as permitted, a letter dated 19.09.2020 was addressed to the learned Registrar General requesting to take steps to fill up these 6 posts by temporary promotion as per the Rule 14 of the Telangana State Judicial (Service and Cadre) Rules, 2017.

DISTRICT JUDGE (ENTRY LEVEL) UNDER ACCELERATED BY TRANSFER – 2021:

As directed, seven (07) vacancies are notified on 09.04.2021. and placed the Notificaiton along with application/bio-data proforma on the website of the High Court, vide Notification No. 999/2021-RC, dated 12.04.2021. Further, letters were addressed to all Principal District Judges/ Unit Heads in the State of Telangana on 12.04.2021, informing the issuance of the said Notification and requested to circulate the same among the Senio Civil Judges working in their Units. As on the last date 09 applications were received.

Written examination was conducted on 21.08.2021 (Saturday) from 10:00 a.m. to 01:00 p.m. Paper I (Civil Law), and from 02:00 p.m. to 05:00 p.m. (Paper III English (Translation, Essay writing and Grammar vocabulary) and on 22.08.2021 (Sunday) Paper II (Criminal Laws) was conducted from 10:00 a.m., to 01:00 p.m. Further process of recruitment is in progress.

CIVIL JUDGES – 2020

In view of the imposition of the lock down in the country due to the outbreak of COVID-19, the last date for submission of application through online was further extended up to 11:59 p.m. on 01.07.2020. 850 candidates were qualified in the screening test conducted on 22.11.2020 and were subjected to written examination which was conducted on 03.04.2021 (Saturday) and 07.04.2021 (Sunday) at TKR Engineering College, Meerpet, Hyderabad.

Further, results of the written examination were declared on 09.07.2021 together with the interview schedule. Viva voice was conducted to 99 qualified candidates (93 under direct and 06 under recruitment by transfer) from 19.07.2021 to 26.07.2021. Thereafter, merit list was prepared and placed before the committee of the Hon'ble Judges for approval of the provisional selection of candidates. Accordingly, after obtaining approval of the full court of the Hon'ble Judges, on 31.07.2021, the hall ticket numbers of provisionally selected candidates were placed on the website of the High Court on 31.07.2021.

Further, a letter dated 04.08.2021 was addressed to the Government to issue orders appointing of provisionally selected candidates by the High Court, for 67 posts of Junior Civil Judges, out of 87 posts notified for the year 2020, after verification of antecedents. Orders from the Government are awaited.

CIVIL JUDGES – 2021

As directed, twelve (12) vacancies are notified on the High Court's website on 12.02.2021. Further process is under progress.



Disclaimer: Above statements are compiled on the basis of figures & Information received from the respective Registry.



Sanctioned strength, working strength and vacancy position of Ministerial Staff in District Courts as on 30-09-2021

Sanctioned Strength	7574
Working Strength	5010
Vacancies	2564

SL. NO.	UNIT NAME	TOTAL SANCTIONED STRENGTH OF THE SUBORDINATE STAFF IN ALL CATEGORIES.	WORKING STRENGTH IN ALL CATEGORIES	VACANCIES IN ALL CATEGORIES.
1	ADILABAD	524	398	126
2	KARIMNAGAR	796	515	281
3	KHAMMAM	492	329	163
4	MAHABUBNAGAR	720	420	300
5	MEDAK	489	297	192
6	NALGONDA	670	389	281
7	NIZAMABAD	435	311	124
8	RANGA REDDY	1207	786	421
9	WARANGAL	515	374	141
10	CITY CIVIL COURT, HYDERABAD	717	488	229
11	CITY SMALL CAUSES COURT, HYDERABAD	155	102	53
12	MSJ COURT, HYD.	674	474	200
13	PRINCIPAL SPL. JUDGE FOR CBI CASES, HYD	180	127	53
	TOTAL	7574	5010	2564

FILLING UP OF VACANCIES IN THE SUBORDINATE COURTS IN ALL THE DISTRICTS IN THE STATE OF TELANGANA:

The computer bases online examinations were conducted in 59 centers in the State of Telangana from 04.11.2019 to 07.11.2019 in three (03) shifts per day for 1539 posts. Apart from the same, skill tests were conducted to the qualified candidates for the technical category posts, viz., Stenographer Grade-III, Typist and Copyist. That after conducting computer bases examination and skill tests, the qualified candidates in the ratio of 1:3 as per merit, were subjected to viva-voce (oral interview) by the Interview Boards of the respective Units, headed by the Principal District Judge and two Judicial Officers as members, constituted by the High Court; that on receipt of the oral interview marks from the Interview Boards, Post and Unit wise merit lists were

prepared, and the lists containing the hall ticket numbers of provisionally selected candidates, have been hosted on the website of the High Court.

As the Unit Heads are the Appointing Authority to Judicial Ministerial Services their Unit, after satisfying with the qualifications and eligibility of the candidates, the Unit Heads were requested to get the antecedents on the provisionally selected candidates to be verified by the concerned Police Officials, and the said process is completed and appointment orders were issued to 707 candidates under Telangana Judicial Ministerial Services. In respect of 686 posts notified for the Office Subordinate, the recruitment process is under progress.

FILLING UP OF VACANCIES IN THE HIGH COURT FOR THE STATE OF TELANGANA (U.D. STENO)

The High Court for the State of Telangana has issued Notification No. 1/2020-Estt., dated 14.07.2020 for filling up of two (02) posts of Upper Division Steno by Direct Recruitment in category 3(d) of Division -II of the Telangana High Court Service Rules, 2019, and a total of 60 applications were received. The High Court accepted 53 applications and rejected 07 applications, as the 07 applicants do not possess the requisite qualification as prescribed in the Recruitment Notification. The High Court conducted the Shorthand Test in English at the rate of 120 words per minute and the transcription into longhand thereof on the computer, on 19.12.2020 (Saturday) in the High Court premises; that out of 53 candidates to whom hall tickets were issued, only 45 candidates attended the exam and 08 were absent. Further, evaluation of the answer sheets of 45 candidates was completed, and as per merit, oral interviews were conducted for six (06) candidates on 16.02.2021, and two (02) were selected. A letter was addressed to the Registrar (Administration), High Court for the State of Telangana, who is the appointing authority to the posts in the High Court Services, with a request to take further steps, such as antecedents verification of the selected candidates, etc. Accordingly, after receiving the antecedents' verification reports, appointment orders were issued to two (02) candidates for two posts of U.D. Steno.

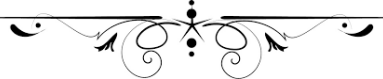


Disclaimer: Above statements are compiled on the basis of figures & Information received from the respective Registry.



District wise Statement of the Institutions, Disposal and Pendency of Cases from 01-07-2021 to 30-09-2021

SL.NO.	NAME OF THE DISTRICT/UNIT	CIVIL			CRIMINAL		
		Institution	Pendency	Disposal	Institution	Pendency	Disposal
1	2	3	4	5	6	7	8
1	ADILABAD	1,250	10,070	558	15,743	24,032	14,591
2	CITY CIVIL COURT, HYDERABAD	5,165	57,248	2,960	43	373	27
3	CITY SMALL CAUSES COURT, HYDERABAD	52	1,305	131	0	0	0
4	METROPOLITAN SESSIONS JUDGE UNIT, HYDERABAD	47	344	67	21,753	77,946	22,017
5	TRIBUNALS/SPL.COURTS, HYDERABAD	168	3,793	158	6	68	12
6	CBI COURTS, HYD	0	2	1	63	1,746	32
7	KARIMNAGAR	2,566	27,275	1,039	9,543	50,927	9,363
8	KHAMMAM	2,292	17,880	1,743	12,711	33,282	12,911
9	MAHABOBNAGAR	3,497	26,455	1,831	4,798	35,337	4,394
10	MEDAK	2,390	20,576	1,361	15,092	27,085	13,581
11	NALGONDA	3,845	32,580	2,249	7,536	52,760	9,272
12	NIZAMABAD	1,371	12,235	771	4,955	17,495	5,072
13	RANGAREDDY	7,937	77,763	5,561	14,679	94,389	16,479
14	WARANGAL	2,819	31,967	1,246	3,838	37,368	5,173
GRAND TOTAL		33,399	3,19,493	19,676	1,10,760	4,52,808	1,12,924



Disclaimer: Above statements are compiled on the basis of figures & Information received from the respective Registry.



Activities of Telangana State Legal Services Authority

FROM JULY, 2021 TO SEPTEMBER, 2021

(I) Outreach Legal Services Activities:

Activities of State Legal Services Authority:

On 10.07.2021, the Member Secretary and Administrative Officer, TSLSA have visited National Lok Adalat benches constituted at Metropolitan Sessions Court, Hyderabad and at District Court Complex, Ranga Reddy and interacted with the bench and litigants about the settlement of cases and also enquired about the problems being faced by the litigants.

Jail Adalats were conducted on 24.07.2021 at Central Prison, Cherlapally and Spl. Prison for women, Chanchalguda, Hyderabad by the DLSA, R.R. District for the benefit of UTPs. The Member Secretary and Administrative Officer, TSLSA along with the Secretary, DLSA, R.R. District have visited and inspected the prison and interacted with the prisoners.


On 28.07.2021, the Member Secretary and the Administrative Officer, Telangana State Legal Services Authority, Hyderabad along with the Chairman and Secretary, Metropolitan Legal Services Authority, Hyderabad have visited the Central Prison for Men, Chanchalguda, Hyderabad and inspected the facilities provided to the inmates. They also visited the Government Girls Home at Nimboliadda, Hyderabad. The Member Secretary, TSLSA, has inaugurated Badminton Shuttle court and handed over the sports items which were sponsored by an NGO. Plantation was also done in the premises on the occasion of "International Nature Conservation Day".


On 04.08.2021, the Member Secretary and the Administrative Officer, Telangana State Legal Services Authority, Hyderabad have visited Special Home for Boys at Bachupally, Hyderabad and inspected the facilities provided to the inmates.


On 23.08.2021, the Hon'ble Executive Chairman, TSLSA and the Chairman, HCLSC have interacted with the Advocate General, Government Pleader of Appeals and Land Acquisition, State Officials of Insurance Companies, Banks and TSRTC in the Full Court Hall of High Court Buildings, Hyderabad and discussed to explore all possibilities and motivated them to settle good number of cases in the ensuing National Lok Adalat to be held on 11.09.2021.


As per the directions of Mediation & Conciliation Project Committee, New Delhi, (40) hours Mediation Training Programme was conducted to 50 Advocate Mediators in all the District Legal Services Authorities in the State of Telangana from 23rd August, 2021 to 1st September, 2021 through virtual mode.


Initially five (5) Advocates from each district were selected for imparting training on Mediation in the first phase. As directed by the Hon'ble the then Chief Justice, High Court for the State of Telangana, the mediation training was conducted through virtual mode to the Advocate Mediators who have participated from their respective districts. The Telangana Judicial Academy has organized the Training Programme.


 **On 07.09.2021**, the Administrative Officer, Telangana State Legal Services Authority, Hyderabad has participated in All India Radio (AIR) Programme and enlightened the general public about the Legal Services Activities and National Lok Adalat for settlement of cases.

 **On 12.09.2021**, the Member Secretary & Administrative Officer, Telangana State Legal Services Authority, Hyderabad, have visited Central Prison, Cherlapalli, in connection with the visit of Hon'ble the Executive Chairman, National Legal Services Authority. In the said visit, Dr. Beena, who is the retired Professor and Psychologist and also the Member of the NALSA, has explained "Unnati Project", the object of which is to bring moral values among the prisoners.


 **On 16.09.2021**, the Member Secretary, Telangana State Legal Services Authority has conducted virtual meeting with all the Chairpersons of District Legal Services Authorities in the State with regard to Special Campaign / Special Drive to be conducted on 17.09.2021 as per the directions of the Department of Justice, Government of India.

 **On 17.09.2021**, the Member Secretary, Telangana State Legal Services Authority has conducted a meeting with the Officials of Postal Department of Telangana in connection with utilization of postal network to spread legal awareness and also preparation of informative display boards in the post offices across the State.

 As part of preparatory programme of PAN India Awareness and Outreach Programme from 2nd October, 2021 to 14th November, 2021, as per the directions of the Hon'ble Executive Chairman, TSLSA, the Member Secretary & Administrative Officer, TSLSA have visited DLSA, Nalgonda **on 25.09.2021** and conducted meetings with Panel Lawyers, Para Legal Volunteers, NGOs and Members of Bar Associations and Officials of Government Departments and Postal Department etc.

 As part of preparatory programme of PAN India Awareness and Outreach Programme from 2nd October, 2021 to 14th November, 2021, as per the directions of the Hon'ble Executive Chairman, TSLSA, the Member Secretary, TSLSA has visited DLSA, Mahbubnagar **on 29.09.2021** and held meetings with

Panel Lawyers, Para Legal Volunteers, NGOs, Members of Bar Associations and Officials of Government Departments and Postal Department etc.

 As part of preparatory programme of PAN India Awareness and Outreach Programme from 2nd October, 2021 to 14th November, 2021, as per the directions of the Hon'ble Executive Chairman, TSLSA, the Member Secretary, TSLSA has visited DLSA, Medak at Sanga Reddy on **30.09.2021** and held meetings with Panel Lawyers, Para Legal Volunteers, NGOs and Members of Bar Associations and Officials of Government Departments and Postal Department etc.

Activities of District Legal Services Authorities:

- All the District Legal Services Authorities in the State have conducted meetings with the Judicial Officers and Police Officials to discuss about settlement of large number of cases in the National Lok Adalat held on 10.07.2021.
- On 03.07.2021, the Secretary, City Civil Court Legal Services Authority, Hyderabad has arranged vaccination camp to the mentally ill persons at Institute of Mental Health, Erragadda, Hyderabad with the coordination of District Medical & Health Officer.
- On 14.07.2021, PLV of Metropolitan Legal Services Authority, Hyderabad has conducted a special drive under "Operation Muskan" in Hyderabad and Secunderabad areas and traced out two child labourers and admitted them in the Government Children's Home.
- On 17.07.2021, the Secretary, DLSA, Nizamabad has conducted a meeting on "Prevention of Sexual Harassment of working woman at all work places" with the concerned Departments and distributed related material as well as pamphlets to all the participants. DLSA, Nizamabad has also conducted meetings on "Prevention of Sexual Harassment of working women at all work places" at local shopping malls on 27th & 29th July, 2021.
- On 20.07.2021, the PLV of Metropolitan Legal Services Authority, Hyderabad has helped a cancer patient in sanction of an amount of Rs.2,00,000/- from the Chief Minister's Relief Fund.
- On 20.07.2021, the Secretary, Metropolitan Legal Services Authority, Hyderabad has conducted Meeting at Government Children's Home, Saidabad under "Operation Muskan" and handed over the missing children to their parents / relatives with the assistance of PLVs.
- **"World Senior Citizen's Day":**
All the District Legal Services Authorities in the State have conducted Legal Awareness Programmes on the eve of "**World Senior Citizen's Day**" as part of NALSA (Legal Services to Senior Citizens) Scheme, 2016 and interacted with

the senior citizens residing in the old age homes and enquired about amenities provided in the old age homes.

- **On 04-08-2021**, the Secretary, DLSA, Ranga Reddy has participated in a workshop conducted to private teachers on skill development by Vanamali Organization, Suvidha Rescue team and Light Organization as part of NALSA (Effective Implementation of Poverty Alleviation) Scheme, 2015 and also issued certificates to the participants.
- **On 15-08-2021**, the Secretary, DLSA, Nizamabad has organized a Legal Awareness Programme on NALSA (Child Friendly Legal Services to Children and their Protection) Scheme, 2015 at Orphan Children Home and donated several books and advised children to actively participate in sports, education and cultural activities.
- **On 21.08.2021**, the Secretary, City Civil Court Legal Services Authority, Hyderabad has conducted Legal Literacy Camp at Mother Theresa Old age Home of Nirmala Hriday Bhavan, Missionaries of Charity, Secunderabad and distributed biscuit packets to inmates of Home.
- **On 29-08-2021**, a Para Legal Volunteer of Metropolitan Legal Services Authority, Hyderabad has helped one person aged about 45 years of Tulasi Nagar in getting Rs. 60,000/ from CM Relief Fund.
- **On 31.08.2021**, the Secretary, City Civil Court Legal Services Authority, Hyderabad has conducted a meeting with officers of Royal Sundaram Insurance Company and discussed about the modalities and motivated them to settle good number of Cases in National Lok Adalat scheduled to be held on 11.09.2021.
- All the District Legal Services Authorities in the State have conducted meetings with the Judicial Officers and Police Officials to discuss about settlement of good number of cases in the National Lok Adalat held on 11.09.2021.
- **On 04.09.2021** the Secretary, DLSA, Mahbubnagar has conducted Workshop on NALSA (Legal Services to victims of Drug Abuse & eradication Drug Menace) with police and Excise officials of the Department, and enlightened them about the benefits of the scheme.
- **On 11.09.2021**, the Secretary, City Civil Court Legal Services Authority, Hyderabad has conducted Legal Awareness Camp and created awareness on Legal Services Authorities Act and importance of Lok Adalat and Mediation, Mechanism in settlement of cases etc.
- **On 15.09.2021**, the Secretary, DLSA, Adilabad has conducted meeting with the Government Officials / NGOs on NALSA (Legal Services to the workers in the un-organized sector) Scheme, 2015 to mobilize Government Machinery for

identification and registration of un-organized workers and also spread awareness among them about the statutory provisions, decent working conditions and social security.

- **On 17.09.2021**, the Secretary, City Civil Court Legal Services Authority, Hyderabad has conducted a campaign by way of rallies, Group Meetings and Door to Door Campaigns in Hyderabad and Secunderabad and enlightened the public with regard to legal aid and legal services.
- **On 17.09.2021**, as per the directions of the National Legal Services Authority, New Delhi, all the District Legal Services Authorities in the State have conducted Special Campaign and conducted outreach and awareness programmes through Mobile Vans, Legal Aid Clinics and organized legal assistance programmes for bringing justice to the doorsteps of the common citizens as per the suggestions of Department of Justice, Government of India. The details are shown as below:

1. Deployment of Mobile Vans

Number of Mobile Vans	Number of Districts Covered	Number of Villages/Gram Panchayats covered	Number of persons covered
03	03	51	1101

2. Legal Aid Clinics/Camps for beneficiaries

Number of Districts covered	Number of Legal Aid Clinics organised	Number of PLVs/Panel Lawyers deployed	Number of beneficiaries covered
07	37	113	2493

3. Legal Aid Awareness Programmes

Number of Districts covered	Number of Villages/Gram Panchayats covered	Number of Camps held	Number of persons covered
11	388	305	23810

➤ **“World Deaf Day”:**

All the District Legal Services Authorities in the State have conducted “World Deaf Day” on **25.09.2021** in coordination with Medical & Health

Department. Some of the districts have conducted medical camps and distributed medicines to the needy persons.

The Secretary, DLSA, Ranga Reddy in coordination with Abhisree Foundation (The Association of people with Disability) has conducted an awareness programme on “World Deaf Day”.

VISITS:

- (i) As part of Calendar of Activities, all the Secretaries of District Legal Services Authorities in the State have visited Orphanage Homes, SWADHAR Home, Boys Home, Brick Kilns, Old Age Homes, Central Prisons, District Jails, SAKHI Centres, Mental Hospital, Girls Homes situated in their jurisdiction and inspected the homes and given certain instructions to the organizers and officials. They also verified about the availability of food and grocery items to the inmates. They also enlightened the inmates about the covid precautions.

SUCCESS STORIES:

- (i) One petitioner Sri Suryavanshi Satyajeet, R/o Adilabad has filed a PLC against his father who is residing in a house purchased by the petitioner for payment of due rents. Upon conciliation between the parties at the instance of DLSA, the respondent i.e., the petitioner’s father has settled the dispute, and the petitioner has accepted to look after the welfare of his father and sisters. Thus the (PLC) family dispute was settled amicably.
- (ii) One Smt. Manjula has approached DLSA, Adilabad alleging additional dowry harassment by her husband and requested for amicable settlement. Conciliation was done at the instance of DLSA between the couple and as a result, the husband has agreed to look after his wife well in future without causing any inconvenience to her.
- (iii) An old aged woman Smt. K. Droupathi has approached DLSA, Adilabad alleging harassment by her daughter-in-law. The matter was taken up as PLC, and upon conciliation, the daughter-in-law has agreed to take care of her mother-in-law.
- (iv) One tribal woman Smt. M. Shyamala Namdev has approached District Legal Services Authority, Adilabad with regard to sharing of her late husband’s service benefits who worked as Teacher at a tribal welfare primary school in the district. Upon conciliatory efforts of the DLSA, the rival parties have agreed to share the pension benefits, appointment on compassionate grounds, sharing of gratuity fund and also to clear off the debts of husband, amicably.

- (v) One petitioner Smt. Yakanpally Ramadevi has filed a petition before the DLSA, Adilabad stating that her father died on 12.11.2020 while working as Police Constable leaving behind the petitioner and her brother N. Ravi as legal heirs. The petitioner further submitted that her brother promised her to give 60% of death benefits of their father, but failed to do so. After issuing notice, both the parties appeared before the DLSA and after conciliation efforts, the brother of the petitioner paid the balance amount to the petitioner, and settled the matter amicably.
- (vi) On 28.08.2021, the PLV of City Civil Court Legal Services Authority, Hyderabad has rescued a senior citizen who was lying down on footpath and begging on the roads. After testing of CORONA-19, the PLV joined him in Good Samaritans India Old Age Home, Hyderabad for shelter.
- (vii) On 23.09.2021, as per the instructions of the Secretary, City Civil Court Legal Services Authority, Hyderabad, one PLV found one minor girl E. Swapna, aged about 14 years at Siddipet and rescued her on enquiry the girl stated that she was married forcibly to one Mallesh, aged about 40 years, Siddipet district and was harassed by her in-laws both mentally and physically and as a result, she left her in-laws' house. The PLV lodged a Zero FIR in the Police Station and the minor girl was sent to Rehabilitation Centre of Bharosa, and later shifted to girls' homes.

REGULAR LOK ADALATS:

In the Regular Lok Adalats, conducted during the months of July to September, 2021, **3,063** cases were settled, out of which **1105** are Pre-Litigation cases and **1958** are pending cases.

NATIONAL LOK ADALATS:

As per the instructions of the NALSA, National Lok Adalat was conducted throughout the State on **10.07.2021 & 11.09.2021** and **1,16,822** pending cases and **15,612** Pre-Litigation cases, in total **1,32,434** cases were settled and an amount of **Rs. 136,70,52,557/-** was awarded in them.

Training Programme for Panel Lawyers:

As per the directions of Hon'ble Executive Chairman, Telangana State Legal Services Authority, Training Programme for Panel Lawyers on "Advancing of Lawyering Skills" was conducted by Master Trainers Smt. S. Nanda, Sri G. Narayana and Sri Raj Kumar Subedar, as per the Modules prescribed by NALSA and details are shown as below:

Sl. No.	Name of the Districts	Date of the Training Programme	No. of Panel Advocates trained
1.	Adilabad	17 th & 18 th July, 2021	23
2.	Karimangar	24 th & 25 th July, 2021	42
3.	Khammam	31 st July & 1 st August, 2021	36
4.	Mahabubnagar	7 th & 8 th August, 2021	30
5.	Medak	21 st & 22 nd August, 2021	29
6.	DLSA,Nalgonda	4 th & 5 th September, 2021	45
7.	DLSA,Nizamabad	18 th & 19 th September, 2021	40
8.	DLSA,Rangareddy	25 th & 26 th September, 2021	57

All the Judicial Officers, Law Officers of Courts, Members of Bar Association, PLVs and Panel Lawyers have attended the programme. The trained Panel Advocates have expressed that the training programme was Excellent and opined that these type of training programmes will be helpful in rendering effective legal services to the needy and suggested to conduct many such training programmes in future.

Bharat Ka Amrit Mahotsav: As per the directions of National Legal Services Authority, New Delhi, the Telangana State Legal Services Authority has instructed all the Legal Services Institutions in the State to implement the action plan as part of PAN India Awareness Programmes from 02.10.2021 to 14.11.2021 and send reports with colour photographs as soon as such events or programmes are conducted.



Disclaimer: Above statements are compiled on the basis of figures & Information received from the Telangana State Legal Services Authority.



Statistics of High Court Legal Services Committee

a) Conducting Lok Adalats:

The High Court Legal Services Committee has conducted two (2) National Lok Adalats, on 10-07-2021 and 11-09-2021 as per the directions of the National Legal Services Authority, New Delhi and Hon'ble Chairman, High Court Legal Services Committee, for settlement of various categories of pending cases on the file of the Hon'ble High Court and also Pre-litigation cases.

Statement showing the number of cases settled in Lok Adalats conducted on 10.07.2021 and 11.09.2021:

Date	No. of Pre-litigation cases taken up	No. of Pre-litigation cases settled	PLC Cases Settled Amount (in Rs.)	No. of Pending Cases taken up	No. of Pending Cases Settled	Pending Cases Settled Amount	Total Amount (PLC+Pending Cases)
10.07.21	21	16	2,06,69,644/-	312	188	2,24,00,000/-	4,30,69,644/-
11.09.21	10	9	1,16,21,190/-	276	140	2,66,18,778/-	3,82,39,968/-
	31	25	3,22,90,834/-	588	328	4,90,18,778/-	8,13,09,612/-

b) Providing Legal Aid:

Apart from conducting Lok Adalats, the High Court Legal Services Committee is also providing Legal Aid to the eligible applicants/petitioners for filing Appeals, Writ Petitions etc., before the Hon'ble High Court for the State of Telangana.

Statistical information in respect of Legal Aid provided during the period from July, 2021 to September, 2021:

Sl.No.	Month	SC	ST	Women	General	In Custody	Total
1	July, 2021	2	--	2	2	3	9
2	August, 2021	--	--	1	1	3	5
3	September, 2021	1	--	1	2	2	6
Total		3	--	4	5	8	20



Disclaimer: Above statements are compiled on the basis of figures & Information received from the Telangana State Legal Services Committee.



Activities of Telangana State Judicial Academy

(From 01-07-2021 to 30-09-2021)

Introduction

The Telangana State Judicial Academy has conducted various Training programmes from 01.07.2021 to 30.09.2021 through Virtual Mode in view of the prevailing Pandemic situation. The Training programmes during the above said quarter focused not only on the Judicial Officers but also on the staff and Advocates.

A brief note on the Training programmes that were held during the above said period is as follows:

I. Webinars/Workshops:

The Academy has conducted a Webinar on 'Matrimonial matters and Family Courts Act' to all District Judges on 03.07.2021. Smt. Palak Jamadar, Addl. Director, Maharashtra Judicial Academy, has taken a session on the topic 'Family Court Act: Practice and Procedure' on 03.07.2021 from 10.00am to 11.20am. Further on the same day Shri Govind G. Vayal, Judge, Family Court, Satara, Maharashtra has also addressed the participants on the topic 'Child Custody and related issues' from 11.40am to 01.00pm.



The Academy has conducted one day workshop on 'Immoral Traffic (Prevention) Act' to all Junior Civil Judges and Other Stake Holders of the State on 17.07.2021 from 10.00 to 01.00pm. Dr. Achanta Mamatha Raghuveer, Director TARUNI has taken a session on Immoral Traffic (Prevention) Act'.

On the same day i.e., 17.07.2021, the Academy has also conducted a Webinar on 'Gender Sensitization' for all cadres of Judicial Officers of the State from 2.00pm to

05.00pm. Smt. K. Satyavathi, Chief Functionary, Bhumika Women's Collective, Hyderabad and Dr. A. Padma, Consultant, Bhumika Women's Collective have interacted with the officers on 'Gender Sensitization'.

A Workshop on 'Negotiable Instruments Act' was conducted by the Academy to all Junior Civil Judges of the State on 24.07.2021. Sri D. Ramakanth, the then Registrar (I.T)-cum-Central Project Coordinator, High Court for the State of Telangana has dealt with the subject.

Webinar on 'Protecting the Rights of Victims in Sexual Violence Cases - A Judicial Perspective' to all cadres of Judicial Officers working in the State by Hon'ble Justice T. Rajani, former Judge, High Court of A.P. was conducted on 07.08.2021 from 11.00am to 12.30pm.



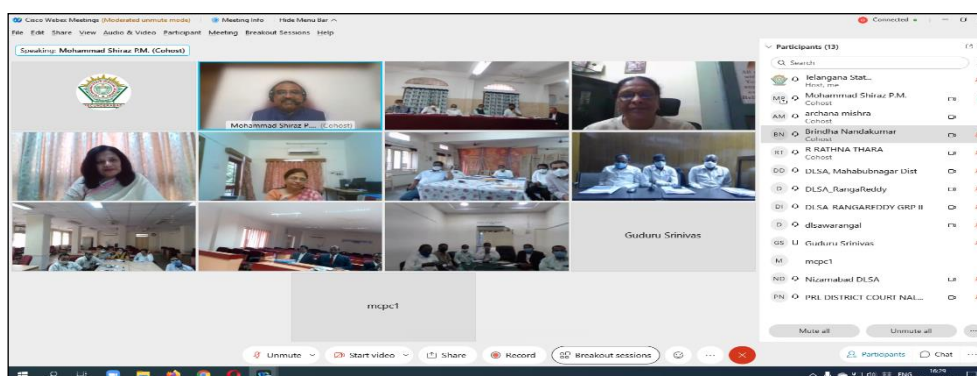
Webinar on 'Interpretation of Injuries –Causation – Different Kinds of Homicides' and Importance of Medical Evidence in Justice Delivery – Sexual Violence Cases' to all the Judicial Officers working in the State by Dr. N. Anitha Evangelin, Addl. Director, T.S.FSL, Hyderabad was conducted on 07.08.2021 from 2.00pm to 05.00pm.

Webinar on 'Electronic Evidence and legal provisions relating to video recording of trials and the mode of such recording' to all cadres of Judicial officers working in the State of Telangana by Hon'ble Sri Justice T. Vinod Kumar, Judge, High Court for the State of Telangana was conducted on 04.09.2021 from 10.30am to 12.00 noon



II. Training to Advocates:

40 hrs Online Mediation Training Programme for 50 Advocates of Telangana conducted by MCPC, New Delhi was organized through the T.S. Judicial Academy from 23.08.2021 to 01.09.2021.



III. Training to Staff of the District Judiciary:

The Academy has conducted the training programme on 'Numbering of Suits, Maintenance of Registers, Destructions Rules, Accounts, etc.', to

all the Chief Administrative Officers of the District Judiciary from 5.07.2021 to 09.07.2021.

all Senior Superintendents & Superintendents of all Subordinate/District Courts of the State from 26.07.2021 to 30.07.201

all the Senior Assistants & Junior Assistants of Subordinate/District Courts of the State from 03.08.2021 to 06.08.2021.

Sri G. Venkata Krishnaiah, District Judge (Retd.) has taught the subjects on Execution Petitions; Inspection of Courts. Sri K. Ajitha Simha Rao has interacted with the participants on 'Preservation and Destruction of Records'. Sri R. Ramu, Chief

Administrative Officer, Nizamabad has taken a session on 'Numbering of suits' and Sri Guru Prakash, C.A.O., City Civil Court, Hyderabad has also taken up the subject on 'Maintenance of Registers' during the above said training programme.

Training programme on 'English Language':

The Academy has imparted training on English Language to all the Stenographers working in the District Courts/Subordinate Courts of the State of Telangana from 12.07.2021 to 23.07.2021

to all the Typists & Copyists of Subordinate/District Courts of the State from 10.08.2021 to 21.08.2021.

Dr. Y.L. Srinivas, Professor, Osmania University and his team have taken the sessions on 'English Grammar, Tenses, formation of sentences, vocabulary etc'.

The Academy has also conducted one day training on 'Execution Petitions' to all the Field Assistants and Process Servers, who are working in the Subordinate Courts of the State of Telangana on 03.09.2021. Sri G. Venkata Krishnaiah, District Judge (Retd.) has taken the session.

IV. Refresher Course:

The I Refresher Course for 37 Junior Civil Judges, who have completed 5 years of service, has been commenced from 20.09.2021 in the afternoon sessions and would go on till 08.10.2021.

Conclusion:

The Academy could proceed with the Training programmes under the able guidance of Hon'ble Sri Justice A. Rajasheker Reddy garu Judge, High Court for the State of Telangana and the President, Telangana State Judicial Academy, and the Hon'ble Board of Governors, Hon'ble Sri Justice P. Naveen Rao garu, Judge, High Court for the State of Telangana and Hon'ble Justice G. Sri Devi garu, Judge, High Court for the State of Telangana. Pillar support extended by the Registry and the co-operation of IT wing strengthened the Academy to run the programmes with ease.



Disclaimer: Above statements are compiled on the basis of Information received from the Telangana State Judicial Academy.



District Events

ADILABAD:

Inauguration of Junior Civil Judge -cum- Judicial Magistrate of First-Class Court at Khanapur in Adilabad District Unit:

On 31-07-2021, Hon'ble Justice G. Sri Devi garu, Judge, High Court for the State of Telangana & Administrative Judge of Mahbubnagar District inaugurated Junior Civil Judge-cum-Judicial Magistrate of First-Class Court at Khanapur in Adilabad Unit.



CONFERENCES:

District Judicial Officers' Conference was held on 18-09-2021 by Hon'ble Sri Justice A. Abhishek Reddy garu, Judge, High Court for the State of Telangana & Administrative Judge of Adilabad District by way of Virtual mode.

Photos of Inauguration of Junior Civil Judge -cum- Judicial Magistrate of First-Class Court at Khanapur in Adilabad District Unit:







MAHBUBNAGAR:

Digital Inauguration of Additional JCJ -cum- JMFC courts in Mahbubnagar District Unit:

On 01-07-2021; Hon'ble Justice Hima Kohli Garu, the Chief Justice, High court for the State of Telangana, Hyderabad in the august presence of Hon'ble Sri Justice A.Abhishek Reddy Garu, Judge, High Court for the State of Telangana & Administrative Judge of Mahbubnagar District and Hon'ble Sri Justice P.KESHAVA RAO Garu, Judge, High Court for the State of Telangana digitally inaugurated Additional Junior Civil Judge-cum-Judicial Magistrate of First Class Courts at Wanaparthi, Jadcherla and Kodangal locations in the Mahbubnagar District Unit.

Digital Inauguration of I & II-Addl. JCJ cum JMFC Courts at Wanaparthi Location:

On 01-07-2021; at 09:30 a.m.; Hon'ble Justice Hima Kohli Garu, Hon'ble the Chief Justice, High Court for the State of Telangana, Hyderabad in the august presence of Hon'ble Sri Justice A.Abhishek Reddy Garu, Judge, High Court for the State of Telangana & Administrative Judge of Mahbubnagar District and Hon'ble Sri Justice P.KESHAVA RAO Garu, Judge, High Court for the State of Telangana, digitally inaugurated I & II-Additional Junior Civil Judge –cum- Judicial Magistrate of First Class Courts at Wanaparthi location in the Mahbubnagar District Unit.





Digital Inauguration of I-Addl.JCJ cum JMFC Court at Jadcherla Location:

On 01-07-2021; at 09:30 a.m.; Hon'ble Justice Hima Kohli Garu, Hon'ble the then Chief Justice, High Court for the State of Telangana, Hyderabad in the august presence of Hon'ble Sri Justice A. Abhishek Reddy Garu, Judge, High Court for the State of Telangana & Administrative Judge of Mahbubnagar District and Hon'ble Sri Justice P. Keshava Rao Garu, Judge, High Court for the State of Telangana, digitally inaugurated I-Additional Junior Civil Judge-cum-Judicial Magistrate of First Class Courts at Jadcherla location in the Mahbubnagar District Unit.





Digital Inauguration of I-Addl. JCJ cum JMFC Court at Kodangal Location:

On 01-07-2021; at 09:30 a.m.; Hon'ble Justice Hima Kohli Garu, the then Chief Justice, High Court for the State of Telangana, Hyderabad in the august presence of Hon'ble Sri Justice A.Abhishek Reddy Garu, Judge, High Court for the State of Telangana & Administrative Judge of Mahbubnagar District and Hon'ble Sri Justice P.Keshava Rao Garu, Judge, High Court for the State of Telangana, digitally inaugurated I & II-Additional Junior Civil Judge-cum-Judicial Magistrate of First Class Courts at Kodangal location in the Mahbubnagar District Unit.



KARIMNAGAR:

On 25-07-2021, the Court of Junior Civil Judge-cum-Judicial Magistrate of 1st Class, at Dharmapuri, Jagtial District, was inaugurated by Hon'ble Sri Justice Challa Kodandaram garu, Judge, High Court for the State of Telangana and Administrative Judge of Karimnagar District. Hon'ble Sri Justice P. Naveen Rao garu, Judge, High Court for the State of Telangana, attended the function virtually.





LINKS FOR USER MANUALS AND GUIDES FOR VARIOUS E-SERVICES OFFERED BY THE HON'BLE ECOMMITTEE, SUPREME COURT OF INDIA:

- i. [Court Management through JustIS Mobile App](#)
- ii. [e-Courts Services Mobile Application – Manual \(English\)](#)
- iii. [e-Courts Services Mobile Application – Manual \(Telugu\)](#)
- iv. [NSTEP User Manual](#)
- v. [e-Pay User Manual](#)
- vi. [Case Management through CIS 3.0](#)
- vii. [e-Filing User Manual](#)
- viii. [e-Filing User Registration Brochure](#)
- ix. [Guide on “How to register on e-Filing portal”](#)
- x. [A step-by-step guide for e-Filing](#)
- xi. [Video guide for registration on e-Filing Portal](#)
- xii. [Video guide on how to e-File a case](#)