

The Odisha Gazette



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 2454 CUTTACK, THURSDAY, DECEMBER 19, 2013 / MARGASIRA 28, 1935

ORISSA HIGH COURT, CUTTACK

NOTIFICATION

No. **966 / dtd.24.10.2013**
X-3/2013

Pursuant to the resolution passed in the Full Court held on 01.10.2013 and 21.10.2013 Hon'ble the Chief Justice has been pleased to substitute the existing provisions contained in Rule-1, 3(1), 5, 6, 7 and 8 of Chapter-XV of the Orissa High Court Rules, Vol-I 1948 (4th Edition, 1983).

1. Rule-1(a) and (b) Page- 31

Substitute the following for the existing provisions contained in Rule-1(a) and (b), Chapter-XV, page 31 of the Orissa High Court Rules, Vol-I, 1948 (4th Edition, 1983) as amended vide Correction Slip No.74.

- “1(a) An application for direction or writ of mandamus, prohibition, quo warranto, certiorari or any other direction or order under Article 226 of the Constitution or an application under Article 227 of the Constitution will be addressed to the Chief Justice and His Companion Justices of this Court and will be placed before such Division Bench or Single Judge as the Chief Justice may direct by a general or special order.
- (b) Unless directed otherwise, the following categories of cases will be placed before a Division Bench:
- (i) Writ Petitions relating to Public Interest Litigation.
 - (ii) Writ Petitions challenging the vires of any Act or any Statutory Order, Rule or Regulation.
 - (iii) Writ Petition against orders of SAT, CAT and relating to service of employees/officers of Judiciary.

- (iv) Writ Petitions relating to admission into and recognition/ affiliation of technical and professional educational courses.
- (v) Writ Petitions in the nature of Habeas Corpus including all Writ Petitions pertaining to illegal detention.
- (vi) Writ Petitions relating to Income Tax, Wealth Tax, Gift Tax, Central Excise, Customs Duty, Entry Tax, Value Added Tax, State Excise, Service Tax and Sales Tax.
- (vii) Writ Petitions relating to Tenders.
- (viii) Writ Petitions regarding D.R.T. and Bank Securitization, RDBI Act, OSFC and BIFR.
- (ix) Writ Petitions under Orissa Estate Abolition Act, 1951.
- (x) Writ Petitions relating to Lease and the Orissa Government Land Settlement Act, 1962.
- (xi) Writ Petitions under the Special Courts Act.
- (xii) Writ Petitions relating to immovable properties of Hindu Religious Endowments.
- (xiii) Writ Petitions against the orders passed by the Orissa Electricity Regulatory Commission.
- (xiv) Writ Petitions relating to Mines and Minerals.
- (xv) Writ Petitions under the Land Acquisition Act.

Provided that when a Division Bench is not available and in all cases when a Single Judge functions as the Vacation Judge, a Single Judge may entertain an application under Articles 226 or 227 of the Constitution and pass an interim order but no final order shall be passed by such Single Judge.

All other matters will be listed before a Single Judge”.

2. Rule-3(1), Page-32

Substitute the following for the existing Rule -3 (1) of Chapter-XV, Part-II at Page-32 of the Orissa High Court Rules, Vol-I, 1948 (4th Edition, 1983).

The applications shall be accompanied by a statement setting out the name and description of the applicant and of the party against whom relief is sought and the particulars of the proceeding/ proceedings which is/are sought to be challenged or quashed, and the grounds on which it is sought. The same shall also contain the provisions of law under which it is filed, the reliefs sought and the orders or actions

impugned in the first few paragraphs. All such particulars as indicated in Appendix-I shall be duly and correctly furnished by the petitioner.

In the application, the petitioner, after supplying the aforesaid information, shall also incorporate in a separate paragraph whether alternate remedy, if any, available under any statute has been availed or not.

3. Rule-5, Page-32

Substitute the following for the existing Rule -5 of Chapter-XV, Part-II at page-32 of the Orissa High Court Rules, Vol-I, 1948 (4th Edition, 1983).

“Every application shall be registered as Writ Petition (Civil) “W.P.(C)” except the application for Habeas Corpus registered as “WPCRL”. Applications under Article 227 of the Constitution arising out of a Suit or a First Appeal shall be registered as Civil Miscellaneous Petition “C.M.P.” and arising from any criminal proceeding shall be registered as Criminal Miscellaneous Petition “Crl.M.P”.

4. Rule-6, Page-32

Substitute the following for the existing Rule -6 of Chapter-XV, Part-II at page-32 of the Orissa High Court Rules, Vol-I, 1948 (4th Edition, 1983).

“The record of W.P.(C) or WPCRL and C.M.P. / Crl.M.P. except a case in which a memorandum has been filed for being listed on the day following the date of presentation shall be sent for stamp report on the day following the date of its registration. The Stamp Reporter shall return the record with his report on the next date of receipt thereof”.

5. Rule-7, Page-32

Substitute the following for the existing Rule -7 of Chapter-XV, Part-II at page-32 of the Orissa High Court Rules, Vol-I, 1948 (4th Edition, 1983).

“In W.P.(C) or WPCRL and C.M.P./ Crl.M.P., defects if any, pointed out by the Stamp Reporter shall be removed within five days from the date of publication of the defects in the Supplementary Cause List supplied to the High Court Bar Association, failing which the case shall be placed before the Deputy Registrar (Judicial) within three days thereafter for orders”.

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

6. Rule-8,Page-32

Substitute the following for the existing Rule -8 of Chapter-XV, Part-II at page-32 of the Orissa High Court Rules, Vol-I, 1948 (4th Edition, 1983).

“When the defects are not removed or when the orders of the Deputy Registrar are not complied with, in any case within the time allowed by him, the W.P.(C) or WPCRL and C.M.P. / CrI.M.P. shall be placed before the Bench within three days for dismissal.”

N.B. The above amendments shall come into force w.e.f 01.01.2014.

Encl. Coding Sheets I to XI & Guidelines (30 Pages)

**By order of the Court
Sd/-
(G. MOHAPATRA)
Registrar (Judicial)**

APPENDIX-I

CHAPTER - XV, Rule 3 (1)

IN THE HIGH COURT OF ORISSA: CUTTACK

Writ Petition No. / 20.....

Code No. _____

In the matter of

An application under Article 226 / Article 227 of the Constitution of India, 1950.

AND

In the matter of

An application under (state the relevant law / provision under which the order impugned has been passed and interference is warranted).

AND

In the matter of

A.B. (add description such as age, father / husband's name, residential address including Fax number with S.T.D. Code / Phone No. / Mobile No. and e-mail address, if any or the official address with such details)

..... PETITIONER (S)

VERSUS

C .D. (add description such as age, father / husband's name, residential or official address on which the service of notices is to be effected on the Opposite Party / Parties. The details of each Opposite Party are to be given in a chronological order with Fax number with S.T.D. Code / Phone No. / Mobile No. and e-mail address, if any.)

..... OPPOSITE PARTY / PARTIES

DETAILS OF THE APPLICATION

1. Particulars of the cause/order against which the Petition is made:

- (1) Date of Order / Notification / Circular / Policy / Decision etc:
- (2) Passed in (Case or File Number) :.....
- (3) Passed by (Name and designation of the Court, Authority, Tribunal etc.):
.....

(4) Subject-matter in brief:

2. Declaration that no proceeding on the same subject matter has been previously instituted in this Court or any other Court, Authority or Tribunal:

If instituted, indicate the status or result thereof, annexing a copy of the order.

3. Facts of the case:

Give a concise statement of facts in a chronological order, each assertion being, so far as is convenient, contained in a separate paragraph along with a declaration that no part of the statement so disclosed is false and that nothing has been suppressed by the petitioner.

4. Grounds for relief with legal provision:

Give separately, the grounds on the basis which each of the relief is claimed and the legal provision in support thereof.

5. Details of alternative remedies available and whether exhausted:

Give a declaration that the Petitioner has availed all statutory and other remedies, indicating detail particulars of alternative remedies with relevant provision of Law.

6. Delay, if any, in filing the Petition and explanation therefor:

State the cause of action and the reasons for not filing the Petition earlier with details.

7. Synopsis and list of dates and events in separate sheets are to be attached to the application, after the Index:

Indicate the summary and briefly narrate the chronology of events / important facts that led to the filing of the Petition.

8. Relief prayed for:

Specify the nature of the Writ / Order / Direction (s).

9. Interim Order/ Writ, if prayed for:

Specify, if interim order / relief has been sought for by separate application.

10. Documents relied on:

Indicate the particulars of documents and in whose possession / custody the same is available along with a certificate that those are the true copies of the originals.

11. Caveat:

That, no notice of lodging a caveat by the opposite party is received.

or

Notice of caveat is received and the Petitioner has served the copies of the Writ Petition as well as the accompanying petitions seeking interim order on the caveator / counsel for the caveator.

12. Other Particulars:

All such particulars as under the Rules including affidavit in support of the application, relevant 'Certificate' and 'Undertaking' etc. are to be duly furnished.

Place:

Date:

Signature and full name of the

Party / Advocate for.....

APPENDIX -II

CHAPTER- VI, Rule - 28

IN THE HIGH COURT OF ORISSA: CUTTACK

Class of Case..... No..... of 20

Subject Code

--	--	--	--	--	--

Appellant (s) :

Applicant (s) :

Petitioner (s) :

Versus

Respondent (s) :

Non-applicant (s):

Opposite Party(s):

Index

Sl. No.	Description of Document (s)	Annexure Mark (s)	Page (s)
----------------	------------------------------------	--------------------------	-----------------

1.

2.

3.

Place:

Date:

Signature and full name of the

Party / Advocate for.....

CODING SHEET

IN THE HIGH COURT OF ORISSA: CUTTACK
CHAPTER -VI, RULE - 28

WRIT JURISDICTION

(To be filled by the Registry)

CASE TYPE _____ NO. _____ of _____ DATE OF REGISTRATION _____

D. NO. _____ DATE OF PRESENTATION _____

(To be filled by the Counsel for the Petitioner in black ink)

Case Type _____

Petitioner (s) _____

Home District _____ **Sex (M /F)** _____ **Age** _____

O.P. (s) _____

1. If 'State' is Party, Name of the Department : (Pet. / Res.) [Put ✓ Mark]

2. If Public Undertaking (Specify name): (Pet. / Res.) [Put ✓ Mark]

3. Number of Category under which the matter falls:

If others, specify the Subject _____

4. Article of the Constitution / Act (Central / State) [Put ✓ Mark]

5. Provision of Law / Section / Sub-Section involved _____

6. Rules involved _____

7. Name of the Main Advocate with State Bar Council Enrolment No., Email. ID / Phone No. / Mobile

No. _____

8. Name (s) of the Associate Advocates State Bar Council Enrolment No., Email. ID /Phone No. / Mobile

No. _____

9. Whether any other matter is pending in this Court on the same point of Law: (Yes / No)

If Yes, give the registration Number: _____

10. Whether any other matter is pending against the impugned Order / Judgement, (Yes / No)

If Yes, give the registration number and indicate at whose instance (Petitioner / Respondent /Third Party):

11. Whether the matter is covered by any Judgement of the Supreme Court, this Court or any other High Court,

If so, give the details of the Judgement. _____

12. Point of Law involved in the matter _____

13. Particulars of Lower Court / Authorities / Tribunal, Viz.

(a) Name :

(b) Designation:

(c) Case, File / Order No.

(d) Date of impugned Judgement / Order / Award:

14. Whether the Petitioner / Appellant / Applicant is desirous of getting the matter settled through any of the alternative modes of dispute resolution prescribed Under Section 89 of the Code of Civil Procedure, 1908.

(Yes / No.)

If Yes, by which mode ? i.e., Arbitration / Conciliation / Lok Adalat / Mediation.

15. Caveat Notice, whether received (Yes / No) and if Yes, whether receipt showing service of copy of Writ Petition together with accompanying Petition claiming interim order has been served on Caveator.

(Yes / No.)

Place :.....

Date:.....

Signature and full name of the Party /

Advocate.....

CODING SHEET
IN THE HIGH COURT OF ORISSA: CUTTACK
CHAPTER-VI, RULE - 28
REVIEW PETITION ARISING OUT OF WRIT PETITION
(To be filled by the Registry)

Case Type _____ No. _____ of _____ Date of Registration _____

D. No. _____ Date of Presentation _____

(To be filled by the Counsel for Petitioner in black ink)

Case Type _____

Petitioner (s) _____

Home District _____ Sex (M /F) _____ Age _____

O.P.(s) _____

Counsel for Petitioner
with State Bar Council Enrolment No., E.Mail Id / Phone No./ Mobile No. if any _____

Counsel for Opposite Party
with State Bar Council Enrolment No., E.Mail Id / Phone No. / Mobile No. if any _____

Subject matter / Act _____

Order sought to be reviewed

Case Type _____ No _____ Year _____

Date of Judgment _____ passed by _____

Passing Officer

Signature and full name of
the Party / Advocate for
.....

(To be filled by the Court Master / P.A. concerned in Court itself in Red ink)

Nature of Disposal _____ By _____

Date of Disposal _____

Court Master / P.A.

CODING SHEET

IN THE HIGH COURT OF ORISSA: CUTTACK

CHAPTER-VI, RULE – 28

CAVEAT PETITION

(To be filled by the Registry)

Caveat No. Year Date of Registration

--	--	--	--	--	--	--	--	--	--

D. No. _____ Date of Presentation _____

(To be filled by the Counsel for the Caveator in black ink)

Case Type _____

Petitioner / Appellant (s) _____

Home District _____ Sex (M /F) _____ Age _____

O.P./ Respondent (s) _____

Counsel for the Caveator with State Bar Council Enrolment No., E.Mail Id / Phone No./ Mobile No. if any

Subject Matter / Act

Connected / Previous/ Covered case, if any Type No of

Passing Officer

Signature and full name of the
Caveator / Counsel for Caveator

CODING SHEET
IN THE HIGH COURT OF ORISSA: CUTTACK
CHAPTER – VI, RULE - 28
CIVIL APPELLATE JURISDICTION
(To be filled by the Registry)

Case Type _____ No. _____ of _____ Date of Registration _____

D. No. _____ Date of Presentation _____

(To be filled by the Counsel for the Appellant / Petitioner / Party in Person in black ink)

Case Type _____

Appellant / Petitioner (s) _____

Home District _____ Sex (M / F) _____ Age _____

Respondent / O.P. (s) _____

Counsel for Appellant / Petitioner _____
with State Bar Council Enrolment No., E.Mail Id / Phone No. / Mobile No. if any _____

Counsel for Respondent/
O.P. _____
with State Bar Council Enrolment No., E.Mail Id / Phone No. / Mobile No. if
any _____

Value of the Appeal Rs. _____ Court Fee Paid

Subject Matter / Act _____

Subject / Category Code

--	--	--	--	--	--

 Nature of Claim

--

Connected / Previous/
Covered case, if any Type

--

 No

--

 of

--

Lower Court Details

Trial Court : Type _____ No. _____ Year _____

Date of Judgment _____

Lower Appellate: Type _____ No. _____ Year _____

Court

Date of Judgment _____

Passing Officer

Signature and full name of the
Counsel for Appellant / Petitioner / Party

(To be filled by the Court Master / P.A. concerned in Court itself in Red ink)

Nature of Disposal By _____ By _____

Date of Disposal _____

Court Master / P.A.

CODING SHEET
IN THE HIGH COURT OF ORISSA: CUTTACK
CHAPTER-VI, RULE - 28
CROSS OBJECTION ARISING OUT OF APPEAL
(To be filled by the Registry)

Case Type _____ No. _____ of _____ Date of Registration _____

D. No. _____ Main Case No. _____ of _____ Date of Presentation _____

(To be filled by the Counsel for the Cross Objector in black ink)

Case Type _____

Petitioner / Appellant (s) _____

Home District _____ Sex (M /F) _____ Age _____

O.P./ Respondent (s) _____

Counsel for Cross Objector/
with State Bar Council Enrolment No., E.Mail Id / Phone No. / Mobile No. if any

Counsel for Respondent/Appellant
with State Bar Council Enrolment No., E.Mail Id / Phone No. / Mobile No. if any

Value of Cross Objection Rs. _____ Court Fee Paid _____

Subject Matter / Act _____

Date of Service of Notice _____

Passing Officer

Signature and full name of the
Counsel for Cross Objector / Cross Objector

(To be filled by the Court Master / P.A. concerned in Court itself in Red ink)

Nature of Disposal _____ By _____

Date of Disposal _____

Court Master / P.A.

CODING SHEET

IN THE HIGH COURT OF ORISSA: CUTTACK
CHAPTER-VI, RULE - 28
REVIEW PETITION ARISING OUT OF APPEAL
(To be filled by the Registry)

Case Type _____ No. _____ of _____ Date of Registration _____

D. No. _____ Date of Presentation _____

(To be filled by the Counsel for Petitioner in black ink)

Case Type _____

Petitioner (s) _____

Home District _____ Sex (M /F) _____ Age _____

O.P. (s) _____

Counsel for Petitioner _____

with State Bar Council Enrolment No., E.Mail Id / Phone No./ Mobile No. if any _____

Counsel for O.P. _____

with State Bar Council Enrolment No., E.Mail Id / Phone / Mobile No. if any _____

Subject Matter / Act _____

Valuation of Appeal Rs. _____ Court Fee Paid _____

Order sought to be reviewed

Case Type _____ No _____ Year _____

Date of Judgment _____ By _____

Passing Officer

Signature and full name of the Party /
Advocate for Petitioner / Petitioners

(To be filled by the Court Master / P.A. concerned in Court itself in Red ink)

Nature of Disposal _____ By _____

Date of Disposal _____

Court Master / P.A.

CODING SHEET

IN THE HIGH COURT OF ORISSA: CUTTACK
CHAPTER-VI, RULE-28
ORIGINAL JURISDICTION

(To be filled by the Registry)

CASE TYPE _____ NO. _____ of _____ DATE OF REGISTRATION _____

D. NO. _____ DATE OF PRESENTATION _____

(To be filled by the Counsel for the Petitioner / Applicant in black ink)

Case Type _____

Petitioner / Appellant/ Contemnor (s) _____

Home District _____ Sex (M /F) _____ Age _____

Respondent/ O.P. (s) _____

Counsel for the Petitioner / Appellant/ Contemnor _____

with State Bar Council Enrolment No., _____

E.Mail Id / Phone No. / Mobile No. if any _____

Counsel for the Respondent / O.P. with State Bar Council _____

Enrolment No., E.Mail Id / Phone No. / Mobile No. if any _____

Subject Matter / Act _____

Subject / Category Code

--	--	--	--	--	--

Connected / Previous/
Type _____ No. _____ of _____

Covered case, if any

Order violated and Date of order (For Contempt Petitions) Case Type _____ No. _____ of _____

Date of Judgement _____ passed by _____

Passing Officer

Signature and full name of the
Party / Advocate for.....

(To be filled by the Court Master / P.A. concerned in Court itself in Red ink)

Nature of Disposal _____ by _____

Date of Disposal _____

Court Master / P.A.

CODING SHEET

IN THE HIGH COURT OF ORISSA: CUTTACK

CHAPTER-VI, RULE - 28

CRIMINAL JURISDICTION

(To be filled by the Registry)

Case Type _____ No. _____ of _____ Date of Registration _____

D. No. _____ Date of Presentation _____

(To be filled by the Counsel for Petitioner in black ink)

Case Type _____

Appellant / Petitioner (s) _____

Home District _____ Sex (M /F) _____ Age _____

Respondent / O.P. (s) _____

Counsel for Appellant/ _____

Petitioner with State Bar Council Enrolment No., E.Mail Id / Phone No. / Mobile No. _____

Counsel for Respondent /
O.P. _____

with State Bar Council Enrolment No., E.Mail Id / Phone No. / Mobile No. _____

Subject Matter / Act

Subject / Category Code

Connected / Previous/
Covered case, if any Type No of

Appellant in (Put Jail Bail Mark)

Lower Court Case Type No of

Date of Judgment / Order _____

Name of the Lower Court
and District

P.S. Case No. _____ Year _____ of _____ Police Station

If any case was earlier before this Court in any form what-so-ever; give the particulars.

Case No..... of (Pending / Disposed of on.....)

Passing Officer

Signature and full name of the
Counsel for Petitioner/Appellant/ Party

(To be filled by the Court Master / P.A. concerned in Court itself in Red ink)

Nature of Disposal By _____ By _____

Date of Disposal _____

Court Master / P.A.

APPENDIX - XI

CHAPTER- VI, Rule - 28

IN THE HIGH COURT OF ORISSA: CUTTACK

Class of Case..... No..... of 20

Subject Code

--	--	--	--	--	--

Appellant /Applicant /Petitioner :

Versus

Respondent / Non-applicant :

List of Documents filed by the Petitioner/ Appellant / Applicant / Respondent No. _____ and Non-Applicant (to indicate the name).

Sl. No.	Description of Documents	Nature of Document	Annexure Mark (s)	Page (s)
1.		[O] [C] [A]*		
2.		[O] [C] [A]*		
3.		[O] [C] [A]*		

Total:

Place:

Date:

Signature and full name of the Party / Advocate for

* [Original / Certified Copy/ Authenticated Copy, to be indicated by putting (√ Mark) against the respective entry denoting 'O', 'C' and 'A']

HIGH COURT OF ORISSA: CUTTACK

INSTRUCTIONS / GUIDELINES FOR FILLING UP THE CODING SHEETS

1. The Coding Sheet procedure will be effective on and from the date of publication of notification in the Odisha Gazette, bringing an amendment to the Rules of High Court of Orissa, 1948. Till such notification in the Odisha Gazette, the practice which was hitherto prevailing will be followed.
2. **Object:** Coding Sheet has been introduced with a view to enable the Registry to easily identify the cases as and when required and also for grouping similar cases for composite disposal. It will also enable the Registry, the learned counsels as well as the Court to ensure speedy disposal of cases if they are covered by earlier decisions.
3. The Coding Sheet in thick white paper is to be filed by the petitioner/appellant along with the filing papers after filling all the particulars in black ink leaving alone the portions to be filled by the Registry. The Coding Sheet shall be stitched with at the top of the Filing Papers.
4. The Model Coding Sheets for Writ Jurisdiction, Review Petition, Caveat Petition, Civil Appellate Jurisdiction, Cross Objection, Original Jurisdiction, Criminal Jurisdiction and List of documents duly filled in are enclosed along with these Guidelines.
5. In the columns relating to the Petitioner/Appellant/Applicant or the Respondent or the name of the respective counsel, it is not necessary to fill the names of all the parties/counsel but only the names of the first petitioner and the first respondent and the name of the leading counsel alone.
6. The column 'connected/previous/covered cases if any' is meant for cases which are connected to the case being filed irrespective of the case types. For example, if a case is disposed of earlier on the same cause of action or on the case arising on the same provision though not relating to the same parties, it shall be mentioned in this column.

7. If the space provided for filling up the data e.g. 'connected/previous/covered cases if any' in the Coding Sheet is not sufficient, the particulars may be furnished below the respective boxes.
8. Though almost all the Acts and possible subjects are covered in the existing list of nomenclature, there may be cases where the advocates while filling the Coding Sheet may find that the Act under which the impugned proceedings arise or the subject relating to the proceedings, does not find a place in the list. In such cases, they shall write the Act/Subject in the column 'Subject Matter/Act' without writing the Subject Category Code. They are requested to bring the same to the notice of the Deputy Registrar (Judicial), High Court of Orissa about the inclusion of the Act, which is missing in the list, who will take necessary steps to include the same in the list and update the same.
9. **Instructions for filling up the Coding Sheets of Writ Jurisdiction:**
The Act under which the impugned proceedings arise or the Act under challenge shall be mentioned in the space meant for 'Subject Matter/Act'. The corresponding code shall be mentioned in the space meant for Subject/Category Code. If the proceedings fall under any of the 'subject' specifically mentioned in the list, the same shall be mentioned followed by the corresponding Code.
10. **Instructions for filling up the Coding Sheets of Original Jurisdiction:**
The nature of the proceeding shall be mentioned in the space meant for 'Subject Matter/Act'. If the matter relates to release of arrear salary, the same shall be mentioned with Code No. as 311100- Arrear Salary.
11. **Instructions for the Coding Sheets of Criminal Jurisdiction:**
The statute under which the major punishment is awarded shall be mentioned in the blank space provided for 'Subject Matter/Act'. If the case relates to any of the 'subject' specifically mentioned in the list, the same shall be mentioned followed by the corresponding Code.

For example, if the case relates to any of the provisions of the Code of Criminal Procedure, the same shall be mentioned followed by the Code Number 092100. However, if the proceedings relate to any of the specific subjects mentioned in the list under the Code of Criminal Procedure, e.g. Petition under Section 407 Cr. PC, the same shall be mentioned as 'Code of Criminal Procedure – Section 407'. The Subject Category Code shall, in this case, be 091200.

12. **Instructions for filling up the Coding Sheets of Civil Appellate Jurisdiction:**

- (a) The nature of the suit before the Trial Court shall be mentioned in the space meant for Subject Matter/Act followed by the Subject Category Code.
- (b) Where the Appeal is against the order of the learned single Judge of the High Court, in the Coding Sheet in the column 'Court' in the Lower Court details, it shall be mentioned as 'Single Judge' and the District as 'Cuttack'.
- (c) In respect of Writ Appeals and all other appeals, the subject matter shall be the same as in the Writ Petitions and the original proceeding respectively.
- (d) In respect of Second Appeals, the details of the Trial Court as well as the Lower Appellate Court shall be mentioned.

13. **Instructions for filling up the List of documents under Appendix:XI :**

List of documents annexed to every application, memorandum of appeal, counter affidavit etc. filed in the Court shall be submitted with necessary details with reference to the corresponding pages, in order to facilitate the preservation/return of the same as and when necessary by taking necessary endorsements in presence of the concerned officers of the Court.

14. Any application, memorandum of appeal, Cross Objection, Counter affidavit etc. filed in the Court without the duly filled up Coding Sheet / List of documents shall be considered as 'defect'.

APPENDIX-I

CHAPTER - XV, Rule 3 (1)

IN THE HIGH COURT OF ORISSA: CUTTACK

Writ Petition No. / 20.....

Code No. _____

In the matter of

An application under Article 226 / Article 227 of the Constitution of India, 1950.

AND

In the matter of

An application under (state the relevant law / provision under which the order impugned has been passed and interference is warranted).

AND

In the matter of

A.B. (add description such as age, father / husband's name, residential address including Fax number with S.T.D. Code / Phone No. / Mobile No. and e-mail address, if any or the official address with such details)

..... PETITIONER (S)

VERSUS

C .D. (add description such as age, father / husband's name, residential or official address on which the service of notices is to be effected on the Opposite Party / Parties. The details of each Opposite Party are to be given in a chronological order with Fax number with S.T.D. Code / Phone No. / Mobile No. and e-mail address, if any.)

..... OPPOSITE PARTY / PARTIES

DETAILS OF THE APPLICATION

1. Particulars of the cause/order against which the Petition is made:

(1) Date of Order / Notification / Circular / Policy / Decision etc:

(2) Passed in (Case or File Number) :.....

(3) Passed by (Name and designation of the Court, Authority, Tribunal etc.):

.....

(4) Subject-matter in brief:

2. Declaration that no proceeding on the same subject matter has been previously instituted in this Court or any other Court, Authority or Tribunal:

If instituted, indicate the status or result thereof, annexing a copy of the order.

3. Facts of the case:

Give a concise statement of facts in a chronological order, each assertion being, so far as is convenient, contained in a separate paragraph along with a declaration that no part of the statement so disclosed is false and that nothing has been suppressed by the petitioner.

4. Grounds for relief with legal provision:

Give separately, the grounds on the basis which each of the relief is claimed and the legal provision in support thereof.

5. Details of alternative remedies available and whether exhausted:

Give a declaration that the Petitioner has availed all statutory and other remedies, indicating detail particulars of alternative remedies with relevant provision of Law.

6. Delay, if any, in filing the Petition and explanation therefor:

State the cause of action and the reasons for not filing the Petition earlier with details.

7. Synopsis and list of dates and events in separate sheets are to be attached to the application, after the Index:

Indicate the summary and briefly narrate the chronology of events / important facts that led to the filing of the Petition.

8. Relief prayed for:

Specify the nature of the Writ / Order / Direction (s).

9. Interim Order/ Writ, if prayed for:

Specify, if interim order / relief has been sought for by separate application.

10. Documents relied on:

Indicate the particulars of documents and in whose possession / custody the same is available along with a certificate that those are the true copies of the originals.

11. Caveat:

That, no notice of lodging a caveat by the opposite party is received.

or

Notice of caveat is received and the Petitioner has served the copies of the Writ Petition as well as the accompanying petitions seeking interim order on the caveator / counsel for the caveator.

12. Other Particulars:

All such particulars as under the Rules including affidavit in support of the application, relevant 'Certificate' and 'Undertaking' etc. are to be duly furnished.

Place:

Date:

Signature and full name of the

Party / Advocate for.....

APPENDIX -II

CHAPTER- VI, Rule - 28

IN THE HIGH COURT OF ORISSA: CUTTACK

Class of Case... W.P.(C) No. _____ of 20 13

Subject Code

2	0	0	5	0	0
---	---	---	---	---	---

Appellant (s) :

Applicant (s) :

Petitioner (s) : Swarup Kumar Nayak and 2 others.

Versus

Respondent (s) :

Non-applicant (s):

Opposite Party(s): State of Odisha and 3 others.

Index

Sl. No.	Description of Document (s)	Annexure Mark (s)	Page (s)
1.	Writ application		01 to 11
2.	Registered sale deed No.1426, dated 23.06.1975 executed by Ramesh Sahu in favour of Swarup Kumar Nayak with appended map.	1	12 to 23
3.	Certified copy of order dated 06.07.2009 passed by the Asst. Consolidation Officer in Objection Case No. 56 of 2007.	2	24 to29
4.	True copy of the application under Section 37 of the O.C.H. & P.F.L. Act, 1972.	3	30 to 33
5.	Certified Copy of the Order dated 11.08.2012 passed in Revision Case No. 562 of 2008 by the Commissioner of Consolidation, Bhubaneswar	4	34 to 37

Place: Cuttack,

Date: 20.11.2013

Sd.
(**Mr. Ramachandra Lenka, Advocate**)
Signature and full name of the

Party / Advocate for Petitioners.

CODING SHEET

IN THE HIGH COURT OF ORISSA: CUTTACK
CHAPTER -VI, RULE - 28

WRIT JURISDICTION

(To be filled by the Registry)

CASE TYPE: ----- DATE OF REGISTRATION: -----

D. NO. _____ DATE OF PRESENTATION _____

(To be filled by the Counsel for the Petitioner in black ink)

Case Type: W.P.(C) No. _____ of 2013

Petitioner (s): Swarup Kumar Nayak & 2 others.

Home District: Koraput Sex (M /F) : Male. Age: 56

O.P. (s): State of Odisha & 3 others.

16. If 'State' is Party, Name of the Department : (Pet. / √ Res.) [Put √ Mark]

Revenue Department

17. If Public Undertaking (Specify name): (Pet. / Res.) [Put √ Mark]

NO

18. Number of Category under which the matter falls:

If others, specify the Subject _____

19. Article of the Constitution / Act (Central / State) [Put √ Mark] : Article 226 of Constitution of India, 1950.

20. Provision of Law / Section / Sub-Section involved: Section 37 of the O. C.H. & P.F.L.Act,1972.

21. Rules involved _____ Does not arise _____

22. Name of the Main Advocate with State Bar Council Enrolment No., Email. ID / Phone No. / Mobile No. if any
Mr. Ramachandra Lenka, Advocate, O. E. No. 112 of 2004, E. Mail: rcl_adv@gmail.com, M: 9672133225.

23. Name (s) of the Associate Advocates State Bar Council Enrolment No., Email. ID /Phone No./ Mobile No. if any
Miss Sarita Kanungo, Advocate, O.E. No.268 Of 2010, E. Mail: rcl_adv@gmail.com,(O) M: 7873234539.

24. Whether any other matter is pending in this Court on the same point of Law: (Yes ✓ / No)

If Yes, give the registration Number: _____ W.P.(c) No. 3245 of 2013.

25. Whether any other matter is pending against the impugned Order / Judgement, (Yes ✓ / No)

If Yes, give the registration number and indicate at whose instance (Petitioner / Respondent /Third Party):

_____ W.P.(c) No. 3245 of 2013 filed by the opposite party No.2 _____

26. Whether the matter is covered by any Judgement of the Supreme Court, this Court or any other High Court,

If so, give the details of the Judgement. _____ (Indicate the Citation) _____

27. Point of Law involved in the matter Whether the Authorities under the O. C.H. & P.F.L.Act,1972 can ignore the sale deed ? _____

28. Particulars of Lower Court / Authorities / Tribunal, Viz.

(e) Name : Mr. P.S. Patro

(f) Designation: Commissioner of Consolidation.

(g) Case, File / Order No. Order No. 09 in Revision Case No. 562 of 2008.

(h) Date of impugned Judgement / Order / Award: 11.08.2012

29. Whether the Petitioner / Appellant / Applicant is desirous of getting the matter settled through any of the alternative modes of dispute resolution prescribed Under Section 89 of the Code of Civil Procedure, 1908.

(Yes ✓ / No)

If Yes, by which mode ? i.e., ~~Arbitration~~ / Conciliation / ~~Lok Adalat~~ / ~~Mediation~~.

30. Caveat Notice, whether received (Yes / ✓ No) and if Yes, whether receipt showing service of copy of Writ Petition together with accompanying Petition claiming interim order has been served on Caveator.

(Yes / ✓ No)

Place :Cuttack,

Date:20.11.2013.

Sd.
(Mr. Ramachandra Lenka, Advocate)
Signature and full name of the Party /

Advocate for petitioner.

CODING SHEET
IN THE HIGH COURT OF ORISSA: CUTTACK
CHAPTER-VI, RULE - 28
REVIEW PETITION ARISING OUT OF WRIT PETITION
(To be filled by the Registry)

Case Type _____ No. _____ of _____ Date of Registration _____

D. No. _____ Date of Presentation _____

(To be filled by the Counsel for Petitioner in black ink)

Case Type: **RVWPET NO.** _____ / 2014

Petitioner (s): Swarup Kumar Nayak and 2 others

Home District: Koraput **Sex (M /F):** Male **Age:** 56

O.P.(s): State of Odisha & 3 others.

Counsel for Petitioner
with State Bar Council Enrolment No., E.Mail Id / Phone No./ Mobile No. if any _____
Mr. Ramachandra Lenka, Advocate, O. E. No. 112 of 2004, E. Mail: rcl_adv.gmail.com, M: 9672133225.

Counsel for Opposite Party
with State Bar Council Enrolment No., E.Mail Id / Phone No. / Mobile No. if any _____

Subject matter / Act: Orissa Prevention of Land Encroachment Act, 1972.

Order sought to be reviewed

Case Type: W.P. (C) No. _____ Year 2013

Date of Judgment 23.12.2013 passed by Hon'ble Mr. Justice.....
Hon'ble Mr. Justice.....

Passing Officer

Sd.

(Mr. Ramachandra Lenka, Advocate)
Signature and full name of
the Party / Advocate for
.....

(To be filled by the Court Master / P.A. concerned in Court itself in Red ink)

Nature of Disposal _____ By _____

Date of Disposal _____

Court Master / P.A.

APPENDIX-V

√
SINGLE / D.B.

CODING SHEET

IN THE HIGH COURT OF ORISSA: CUTTACK

CHAPTER-VI, RULE – 28

CAVEAT PETITION

(To be filled by the Registry)

Caveat No. Year Date of Registration

--	--	--	--	--	--	--	--	--	--

D. No. _____ Date of Presentation _____

(To be filled by the Counsel for the Caveator in black ink)

Case Type: W.P. (C) NO. _____ / 2013

Petitioner / Appellant (s): Sarat Chandra Parida

Home District: Mayurbhanj Sex (M /F): Male. Age: 34

O.P./ Respondent (s): Padia Naik and 2 others (Caveator).

Counsel for the Caveator with State Bar Council Enrolment No., E.Mail Id / Phone No./ Mobile No. if any
Mr. Harihar Chand, Advocate, O. E. No. 132 of 1999, EMail:hchandgmail.com,M:9778945673

Subject Matter / Act

Restoration of possession under Rule 3-A of Regulation II of 1956

Connected / Previous/
Covered case, if any

Type No of

Sd.
(Mr. Harihar Chand, Advocate)

Passing Officer

Signature and full name of the
Caveator / Counsel for Caveator

APPENDIX – VI

√
SINGLE / D.B.

CODING SHEET
IN THE HIGH COURT OF ORISSA: CUTTACK
CHAPTER – VI, RULE - 28
CIVIL APPELLATE JURISDICTION
(To be filled by the Registry)

Case Type _____ No. _____ of _____ Date of Registration _____

D. No. _____ Date of Presentation _____

(To be filled by the Counsel for the Appellant / Petitioner / Party in Person in black ink)

Case Type: RSA No. _____ / 2013

Appellant / Petitioner (s): Parbati Khandual

Home District: Jagatsinghpur Sex (M /F): Female Age: 47

Respondent / O.P. (s): Pitambar Khandual.

Counsel for Appellant / Petitioner _____
with State Bar Council Enrolment No., E.Mail Id / Phone No. / Mobile No. if any: _____
Mr. Pradip Kumar Samantaray, Advocate, O. E. No. 182 of 2004, E. Mail: pks_adv.yahoomail.com, M: 9861523678.

Counsel for Respondent/
O.P. _____
with State Bar Council Enrolment No., E.Mail Id / Phone No. / Mobile No. if
any _____

Value of the Appeal Rs. 14,00,000/- Court Fee Paid- Remitted U/s 36 of Court Fees Act

Subject Matter / Act - Declaration of title and recovery of possession.

Subject / Category Code

2	8	0	4	0	0
---	---	---	---	---	---

 Nature of Claim

Possession based on title.

Connected / Previous/
Covered case, if any Type

--

 No

--

 of

--

Lower Court Details

Trial Court : Type C.S. No. 143 Year 2004

Date of Judgement 05.12.2009.

Lower Appellate: Type RFA No. 12 Year 2010
Court

Date of Judgement 18.06.2013.

Sd.
(Mr. Pradip Kumar Samantaray, Advocate)
Signature and full name of the
Counsel for Appellant / Petitioner / Party

Passing Officer

(To be filled by the Court Master / P.A. concerned in Court itself in Red ink)

Nature of Disposal By _____ By _____

Date of Disposal _____

Court Master / P.A.

CODING SHEET
IN THE HIGH COURT OF ORISSA: CUTTACK
CHAPTER-VI, RULE - 28
CROSS OBJECTION ARISING OUT OF APPEAL
(To be filled by the Registry)

Case Type _____ No. _____ of _____ Date of Registration _____

D. No. _____ Main Case No. _____ of _____ Date of Presentation _____

(To be filled by the Counsel for the Cross Objector in black ink)

Case Type: MACA No. 346 / 2013

Petitioner / Appellant (s): The National Insurance Company Ltd.

Home District: Does not arise Sex (M /F): X Age: X

O.P./ Respondent (s): Rakesh Hati & another

Counsel for Cross Objector/ Respondent No. 1
with State Bar Council Enrolment No., E. Mail Id / Phone No. / Mobile No. if any

Mrs. Pratima Sabat, Advocate, O. E. No. 128 of 2007, E. Mail: pratima_adv.yahoo.co.in, M: 9369834783.

Counsel for Respondent/Appellant
with State Bar Council Enrolment No., E.Mail Id / Phone No. / Mobile No. if any

Mr. Narendra Kumar Champati, Advocate, _____.

Value of Cross Objection Rs.2,00,000/- **Court Fee Paid** Rs. 1,000/-

Subject Matter / Act : S. 173 of Motor Vehicles Act, 1988.

Date of Service of Notice: 30.09.2013

Passing Officer

Sd.
(Mrs. Pratima Sabat, Advocate)
Signature and full name of the
Counsel for Cross Objector / Cross Objector

(To be filled by the Court Master / P.A. concerned in Court itself in Red ink)

Nature of Disposal _____ **By** _____

Date of Disposal _____

Court Master / P.A.

CODING SHEET

IN THE HIGH COURT OF ORISSA: CUTTACK
CHAPTER-VI, RULE - 28
REVIEW PETITION ARISING OUT OF APPEAL
(To be filled by the Registry)

Case Type _____ No. _____ of _____ Date of Registration _____

D. No. _____ Date of Presentation _____

(To be filled by the Counsel for Petitioner in black ink)

Case Type: RVWPET NO. _____ OF 2013

Petitioner (s): Biswanath Sharma

Home District: Sambalpur Sex (M /F): Male. Age : 67

O.P. (s): Rahas Behera and others.

Counsel for Petitioner _____

with State Bar Council Enrolment No., E.Mail Id / Phone No./ Mobile No. if any: _____

Mr. Priyabrata Mund, Advocate, O. E. No. 159 of 2005, E. Mail: pmund.adv.gmail.com, M: 9269492405.

Counsel for O.P. with State Bar Council Enrolment No., E.Mail Id / Phone / Mobile No. if any:

Subject Matter / Act: Suit for specific performance of contract of sale/ Section 19 of Sp. Relief Act, 1963.

Valuation of Appeal Rs. 18,00,000/- **Court Fee Paid** Rs. 55,184.25/-

Order sought to be reviewed

Case Type RFA No. 57 Year 2010

Date of Judgement: 11.09.2013 By Hon'ble Mr. Justice.....

Passing Officer

Sd.
(**Mr. Priyabrata Mund, Advocate**)
Signature and full name of the Party /
Advocate for Petitioner / Petitioners

(To be filled by the Court Master / P.A. concerned in Court itself in Red ink)

Nature of Disposal _____ By _____

Date of Disposal _____

Court Master / P.A.

APPENDIX - IX

√
SINGLE / D.B.

CODING SHEET
IN THE HIGH COURT OF ORISSA: CUTTACK
CHAPTER-VI, RULE-28
ORIGINAL JURISDICTION
(To be filled by the Registry)

CASE TYPE _____ NO. _____ of _____ DATE OF REGISTRATION _____

D. NO. _____ DATE OF PRESENTATION _____

(To be filled by the Counsel for the Petitioner / Applicant in black ink)

Case Type: CONTC No. _____ of 2013

Petitioner / Appellant/ Contemnor (s): Narayan Nayak.

Home District: Puri Sex (M /F): Male. Age: 55

Respondent/ O.P. (s): Mrs. Ratnamani Mohanty & 3 others.

Counsel for the Petitioner / Appellant/ Contemnor _____
with State Bar Council Enrolment No., _____
E.Mail Id / Phone No. / Mobile No. if any _____
Mr. Ramachandra Lenka, Advocate, O. E. No. 112 of 2004, E. Mail: rcl_adv.rediffmail.com, M: 9672133225.

Counsel for the Respondent / O.P. with State Bar Council _____

Enrolment No., E.Mail Id / Phone No. / Mobile No. if any _____

Subject Matter / Act 311100 – Arrear Salary

Subject / Category Code

0	8	0	3	0	0
---	---	---	---	---	---

Connected / Previous/
Covered case, if any Type _____ No. _____ of _____

Order violated and Date of order (For Contempt Petitions) Case Type W.P. (C) No. 456 of 2011.

Justice _____ Date of Judgement 29.10.2012 passed by Hon'ble Mr.

Passing Officer _____

Sd.
(**Mr. Ramachandra Lenka, Advocate**)
Signature and full name of the
Party / Advocate for.....

(To be filled by the Court Master / P.A. concerned in Court itself in Red ink)

Nature of Disposal _____ by _____

Date of Disposal _____

Court Master / P.A.

APPENDIX- X

√
SINGLE / D.B.

CODING SHEET

IN THE HIGH COURT OF ORISSA: CUTTACK

CHAPTER-VI, RULE - 28
CRIMINAL JURISDICTION

(To be filled by the Registry)

Case Type _____ No. _____ of _____ Date of
Registration _____

D. No. _____ Date of Presentation _____

(To be filled by the Counsel for Petitioner in black ink)

Case Type: CRLA NO. _____ OF 2013

Appellant / Petitioner (s): Bijay Jena

Home District: Balasore Sex (M /F): Male. Age: 53.

Respondent / O.P. (s): State of Odisha & 3 others.

Counsel for Appellant/
Petitioner with State Bar Council Enrolment No., E.Mail Id / Phone No. / Mobile No. if any _____
Mr. Shankar Prasad Mahalik, Advocate, O. E. No. 192 of 2002, E. Mail: spm.adv.rediffmail.com, M: 93120836537

Counsel for Respondent /
O.P. _____

with State Bar Council Enrolment No., E.Mail Id / Phone No. / Mobile
No. _____

Subject Matter / Act

Section 22 (C), N.D.P.S. Act, 1985

Subject / Category Code

0	9	1	5	0	0
---	---	---	---	---	---

Connected / Previous/
Covered case, if any Type

--

 No

--

 of

--

Appellant in (Put Jail Bail Mark)

Lower Court Case

G.R.

 Type

43

 No.

2011

 of

Date of Judgment / Order _____

Name of the Lower
and District

A.D.J.-cum- Special Court

Khurda

 Court

P.S. Case No. 24 Year 2011 of Khurda Police Station .

If any case was earlier before this Court in any form what-so-ever; give the particulars.

Case No..... of (Pending / Disposed of on.....)

Sd.

(**Mr. Shankar Prasad Mahalik, Advocate**)

Signature and full name of the
Counsel for Petitioner/Appellant/ Party

Passing Officer

(To be filled by the Court Master / P.A. concerned in Court itself in Red ink)

Nature of Disposal By _____ By _____

Date of Disposal _____

Court Master / P.A.

APPENDIX - XI

CHAPTER- VI, Rule - 28

IN THE HIGH COURT OF ORISSA: CUTTACK

Class of Case: W.P.(C) No..... of 20 13

Subject Code

2	0	0	5	0	0
---	---	---	---	---	---

Appellant /Applicant /Petitioner : Swarup Kumar Nayak and 2 others.

Versus

Respondent / Non-applicant : State of Odisha and 3 others.

**List of Documents filed by the Petitioner/ Appellant / Applicant / Respondent
No. 1 to 3 and Non-Applicant (to indicate the name).**

Sl. No.	Description of Documents	Nature of Document	Annexure Mark (s)	Page (s)
1.	Registered sale deed No.1426, dated 23.06.1975 executed by Ramesh Sahu in favour of Swarup Kumar Nayak with appended map.	[O√] [C] [A]*	1	12-23
2.	Certified Copy of the Order dated 06.07.2009 passed by the Asst. Consolidation Officer in Objection Case No. 56 of 2007.	[O] [C√] [A]*	2	24-29
3.	True Copy of the application Under section 37 of the O.C.H. & P.F.L. Act, 1972.	[O] [C] [A√]*	3	30-33
4.	Certified Copy of the Order dated 11.08.2012 passed in Revision Case No. 562 of 2008 by the Commissioner of Consolidation, Bhubaneswar	[O] [C√] [A]*	4	34-37

Total: 26 sheets

**Place: Cuttack
Date: 20.11.2013**

Sd.
(Mr. Ramachandra Lenka, Advocate)
**Signature and full name of the Party /
Advocate for Petitioners**

* [Original / Certified Copy/ Authenticated Copy, to be indicated by putting (√ Mark) against the respective entry denoting 'O', 'C' and 'A']

ORISSA HIGH COURT, CUTTACK

NOTIFICATION

NO. 967 /R Dated. 24.10.2013

In pursuance of the resolution passed in the meeting of the Full Court Dtd.21.10.2013 the High Court of Orissa do hereby modify the Standing Order No.1 of 2002 regarding nomenclature of cases as follows:-

“Resolved that registration of any petition arising out of a Suit or First Appeal under Article 227 of the Constitution be registered as “C.M.P.” and any petition arising out of criminal proceeding be registered as “CrI.M.P.” and not a Writ Petition (Civil) /WP(CrI.). The List of Nomenclature notified by the Court be amended to include “Petition arising out of a Suit or First Appeal under Article 227 of the Constitution” at Sl. No.(1)-A of (II) OTHER CIVIL PROCEEDINGS and petition arising out of criminal proceeding at Sl. No. (9)-A of (B) CRIMINAL PROCEEDINGS, indicating C.M.P. and CrI.M.P. respectively in the column “ABBREVIATION TO BE USED”.

At Sl. No. (9) of (B) CRIMINAL PROCEEDINGS, the words “and other relief in relation to a criminal proceeding” be substituted by the words “and for challenging Preventive detention”.

N.B. The above amendments shall come into force w.e.f 01.01.2014.

By order of the Court

Sd/-
(G. MOHAPATRA)
Registrar (Judicial)