

HIGH COURT OF MEGHALAYA:SHILLONG

NOTIFICATION

Dated Shillong 7th August, 2026

No.HCM.II/34/Pt.IV/2014/Estt/62: As resolved in the meeting of Hon'ble Full Court held on 29.07.2026, the following guidelines are framed for adoption by the District Judiciary in the State of Meghalaya to ensure effective, transparent and expeditious disposal of execution petitions with immediate effect.

1. Short Title and Applicability

1. These guidelines may be called the **"Guidelines for Expeditious Disposal of Execution Petitions, 2026"**.
2. These guidelines shall apply to all Civil Courts and Commercial Courts in the District Judiciary of the State of Meghalaya.
3. These guidelines shall supplement the provisions of the Code of Civil Procedure, 1908 and shall not override any statutory provision or judicial direction.

2. Objective

The objectives of these guidelines are:

1. To reduce delay in execution proceedings;
2. To ensure effective enforcement of decrees and orders;
3. To discourage delaying tactics and frivolous objections;
4. To promote accountability and case management in execution matters;
5. To ensure that execution proceedings are concluded within a reasonable period.

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3. Registration and Scrutiny of Execution Petitions

1. Every execution petition shall be scrutinized immediately upon filing.
2. Defects, if any, shall ordinarily be notified within three working days.
3. Defects shall be cured within the time granted by the Court.
4. Upon removal of defects, the execution petition shall be registered without delay.
5. Executing Courts shall ensure that incomplete or vague descriptions of property are not accepted.
6. Particular care shall be taken to verify complete details of decree, calculation of decretal amount, details of movable or immovable property, mode of execution sought.

4. Time-bound Disposal

1. As far as practicable, execution petitions shall be disposed of within six months from the date of completion of pleadings.
2. Old execution petitions shall be accorded priority.
3. Execution petitions pending for more than one year shall be reviewed periodically by the Presiding Officer.
4. Reasons for prolonged pendency shall be recorded in the order sheet.

5. Early Listing and Case Management

1. Execution petitions shall be listed at the earliest possible date after registration.
2. Courts may prepare a stage-wise schedule for service of notice, filing of objections, disclosure of assets, attachment, sale proceedings, and delivery of possession.
3. Adjournments shall be granted only for sufficient cause.
4. Long adjournments shall ordinarily be avoided.

5. Where feasible, execution matters may proceed on consecutive dates.

6. Service of Notice and Process

1. Notice to the judgment debtor shall ordinarily be issued immediately upon admission of the execution petition.
2. Service shall be effected through all permissible modes including personal service, registered post, electronic means, e-mail and mobile-based communication wherever available.
3. Process serving agencies shall submit reports promptly.
4. In cases of deliberate avoidance of service, substituted service may be ordered without unnecessary delay.

7. Disclosure of Assets

1. In appropriate cases, the Executing Court may direct the judgment debtor to disclose movable assets, immovable properties, bank accounts, salary details, investments and liabilities.
2. Such disclosure may be supported by affidavit.
3. False disclosure or suppression of assets may invite appropriate action in accordance with law.

8. Frivolous Objections and Delaying Tactics

1. Frivolous objections intended only to delay execution shall be discouraged.
2. Repeated adjournments for filing objections shall ordinarily not be granted.
3. Courts may impose realistic costs where proceedings are found to be vexatious or obstructive.
4. Executing Courts shall ensure that execution proceedings are not converted into a retrial of the original suit.

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9. Attachment Proceedings

1. Orders relating to attachment shall be executed promptly.
2. Warrants of attachment shall be issued without delay after satisfaction of legal requirements.
3. Nazir staff and process servers shall maintain proper records regarding execution of warrants.
4. Where attachment cannot be executed, reasons shall be specifically recorded.

10. Auction and Sale Proceedings

1. Sale proclamations shall be issued expeditiously.
2. Auction proceedings shall be conducted strictly in accordance with law.
3. Avoidable delay between attachment and auction shall be avoided.
4. The Court shall ensure proper publication of sale notices wherever required.
5. Confirmation of sale shall not be unnecessarily delayed.

11. Delivery of Possession

1. Warrants for delivery of possession shall be executed promptly.
2. Police assistance may be sought where resistance or breach of peace is apprehended.
3. Revenue and local administrative authorities shall extend necessary cooperation.

12. Cooperation of Government Authorities

1. Revenue authorities, banks, local bodies and registration authorities shall cooperate with Executing Courts for verification of property records, attachment proceedings, execution of warrants, transfer and mutation processes.

2. Requisitions issued by Executing Courts shall be attended to promptly.

13. Use of Technology

1. Courts shall encourage the use of digital platforms and electronic communication in execution proceedings.
2. Case status shall be updated regularly in CIS/eCourts software.
3. Wherever feasible e-service, digital transmission of warrants, online cause lists, digital record maintenance may be utilized.

14. Maintenance of Registers and Monitoring

1. Separate registers of execution petitions shall be maintained properly.
2. Old pending execution petitions shall be categorized and monitored.
3. Monthly statements relating to institution, disposal, age-wise pendency, may be reviewed at the district level.
4. District Judges may hold periodic review meetings regarding old pending execution cases.

15. Special Attention to Old Execution Petitions

1. Execution petitions pending for more than 1 year, 3 years, 5 years, shall be separately identified.
2. Such matters may be listed on priority basis.
3. A special drive may periodically be undertaken for disposal of old execution cases.

16. Dedicated Execution Days

1. As far as practicable, Courts may earmark specific days in a month for execution matters.
2. Execution proceedings shall receive the same priority as original proceedings.

17. Role of the Bar

1. Learned Advocates shall assist the Court in early disposal of execution proceedings.
2. Unnecessary adjournments and repetitive applications shall be avoided.
3. Cooperation of Bar Associations may be sought in reducing pendency of old execution matters.

18. Training and Capacity Building

1. Periodic training programmes may be conducted for judicial officers, Nazir staff, bailiffs, process servers.
2. Training shall include attachment procedure, auction procedure, digital process management, execution of warrants.

19. Accountability and Administrative Review

1. District Judges shall periodically review the pendency and disposal of execution petitions.
2. Unexplained delay in old execution matters may be examined administratively.
3. Presiding Officers shall endeavor to comply with the timelines indicated by the Hon'ble Supreme Court.

20. Miscellaneous

1. These guidelines shall be read harmoniously with the Code of Civil Procedure, 1908, High Court Rules and Orders, directions issued by the Hon'ble Supreme Court and the High Court from time to time.
2. The Court may adopt such further procedure as may be necessary to secure the ends of justice and effective enforcement of decrees.

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Copy to:-

1. The Registrar-and-Principal Private Secretary to the Hon'ble, the Chief Justice, High Court of Meghalaya for kind information of the Her Ladyship.
2. The Private Secretary to Hon'ble Mr. Justice H.S.Thangkhiew, Judge, High Court of Meghalaya for kind information of His Lordship.
3. The Private Secretary to Hon'ble Mr. Justice W.Diengdoh, Judge, High Court of Meghalaya for kind information of His Lordship.
4. The Private Secretary to Hon'ble Mr. Justice B.Bhattacharjee, Judge, High Court of Meghalaya for kind information of His Lordship.
5. The Member Secretary, Meghalaya State Legal Services Authority, Shillong for kind information.
6. The Director, Meghalaya State Judicial Academy, Shillong for kind information.
7. All the District & Sessions Judge, Meghalaya for kind information and necessary action. The same shall be circulated to Judicial Officers, other concerned authorities, stakeholders etc., in your jurisdiction.
8. The Registrar (Admn), High Court of Meghalaya, for kind information.
9. The Registrar (Judicial Service), High Court of Meghalaya, for kind information.
10. The Joint Registrar (Listing), High Court of Meghalaya, for kind information.
11. The Director, Printing and Stationery, Shillong for publication of this notification in the next issue of the Gazette.
12. The System Analyst, High Court of Meghalaya, to upload the same in the official website.
13. Office file.

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