Letter Receiving No. 281
21/12/23

Through e-mail / Speed Post

(J.H.C. Sch. 1-7)

☎ : Office: - 0651-2481449
Fax No.:- 0651-2481116

From:
Sanjay Kumar
Member Secretary,
SCMS Committee,
High Court of Jharkhand,
Ranchi.

Letter No. 206 /SCMS
Dated:- 20/12/2023

To

All the Principal District & Sessions Judge of the State of Jharkhand
Including the Judicial Commissioner, Ranchi

Sir,

The Court has been pleased to issue following directions to all concerned:-

(i) In cases where summon has to be issued in Civil cases, the same should be ordered to be issued in both ways i.e. through Nazarat as well as registered post with A/D/Speed Post.

(ii) In all cases where accused are not appearing even after a year of issuance of NBW, the same be taken up in the meeting of DLMC.

(iii) In case any order is challenged before this Court, trial Courts should down load orders of the High Court and a copy of the same be kept in the record and proceed with the case if there is no stay.

(iv) Sessions Judge / Additional Sessions Judge should call for the photo copy of LCR instead of original as and when required and the original records called for in criminal revisions be sent back to the trial Courts after keeping the photo copy of the trial court record so that, trial court proceedings can go on.

(v) If the plaintiff / sole defendant has died and no step is taken for substitution of the plaintiff / sole defendant within the time prescribed under Limitation Act, the same should be disposed as abated after the limitation period is over and under no circumstances the suit / proceeding will run in the Court diary thereafter.

(vi) The Interlocutory Applications in all cases should be disposed of within 30 days of its filing. The Principal District & Sessions Judge / Judicial Commissioner should make a list where Interlocutory Applications are not disposed of within 30 days and take up the matter in the monthly meeting of Judicial Officers and send a list with reasons if such petitions could not be disposed of.

(vii) In such cases where accused has not appeared after a period of 3 months from the date of issuance of NBW, the cases in respect of other accused be split up and the proceeding in respect of accused appearing shall proceed.

(viii) Minutes of DLMC meeting be forwarded to this Court.

(ix) If after appearance of defendant, written statement is not filed within statutory period of time as prescribed in Order 5 Rule 1, CPC, appropriate order be passed and in no case suit should be fixed for written statement beyond the said period. The PDJ / JC must monitor the same.

(x) The Courts should strictly follow the provisions regarding service of summons as laid down in Order V Rule 9 of CPC.

(xi) In Civil cases, the evidence shall be closed unless a written time petition is filed. If parties do not adduce evidence and take time continuously for 3 dates, the time should be allowed only with cost.

You are therefore requested to strictly adhere to the above directions of the Court.

SEEN, Circulate amongst all Judicial officers with request to strictly adhere to the directions.
Scmikoll 21/12/23

Yours faithfully,
Sanjay Kr
20.12.2023
Member Secretary,
SCMS Committee