

In the High Court at Calcutta

Appellate Side



No. 1911-G

Dated, Calcutta. 11. 07. 2025.

To: **The District & Sessions Judge**, Darjeeling, Kalimpong, Cooch Behar, Jalpaiguri, Uttar Dinajpur, Dakshin Dinajpur, Malda, Murshidabad, Purba Burdwan, Paschim Burdwan, Birbhum, Bankura, Purulia, Nadia, Hooghly, Howrah, ✓ North 24 Parganas, South 24 Parganas, Paschim Medinipur, Jhargram, Purba Medinipur, Alipurduar, Andaman & Nicobar Islands.

The Chief Judge, City Sessions Court, Calcutta, City Civil Court, Calcutta, Presidency Small Cause Court, Calcutta.

Sub: **Standard Operating Procedure (SOP) prepared pursuant to the directions of the Hon'ble Supreme Court of India in Durgawati @ Priya vs CBI [MA No. 919/2025 in SLP (Crl) No. 3607/2023 order dated 23.05.2025].**

Sir/Madam,

With reference to the above, I am directed to forward herewith the copy of the Standard Operating Procedure (SOP), prepared by the Hon'ble High Court, Calcutta, for your information and necessary compliance.

Enclo: As stated above

Yours sincerely,

Registrar (Inspection-I)

Standard Operating Procedure (SOP)

Prepared pursuant to the directions of the Hon'ble Supreme Court of India in **Durgawati @ Priya vs. CBI** [MA No. 919/2025 in SLP(Crl) No. 3607/2023 order dated 23-05-2025]

Findings and Directions of the Hon'ble Supreme Court:

The Hon'ble Supreme Court, in its order dated May 23, 2025, passed in **Durgawati @ Priya vs. CBI**¹ addressed a persistent issue regarding the direct communication made by the trial courts in cases where the Hon'ble Supreme Court had issued directions for expeditious conclusion of trials.

The observations of the Hon'ble Supreme Court:

"1) It has been our persistent experience that in cases where this Court has issued directions for the expeditious conclusions of trials, the concerned judges have been corresponding with the Registry of this Court and subsequently, those letters are placed before the Court for orders. We deem such practice to be wholly unacceptable.

2) In cases, where a direction to conclude the trial, suit or appeal is issued by this Court, it is the duty of the Registry of the High Court concerned to supervise the progress of such cases. If an extension is required, it may be granted with the satisfaction of the immediate supervisory officer and the correspondence in this regard shall be forwarded to this Court by either Registrar General or Registrar Judicial proposing the same."

The direction of the Hon'ble Supreme Court:

"4) To carve out the said practice in other High Courts, it is essential to communicate this Order to the Registrar Generals of the respective High Courts so that they may place the matter before the Hon'ble the Chief Justice for preparation of a Standard Operating Procedure (SOP) outlining the manner in which cases wherein directions have been issued to expedite the hearing or conclusion of trial, suit or appeal shall be corresponded with the registry of this Court."

Background: Genesis of the Directive

The catalyst for the significant directive was the case of **Ramkishore @ Kallu vs. State of Madhya Pradesh**².

"1. In the present case, a letter has been written by the Special Judge, Scheduled Tribes (Prevention of Atrocities) Act, Morena, Madhya Pradesh directly to the Assistant Registrar of the Registry of Supreme Court seeking extension of time. On earlier occasion when the extension was prayed, the similar letter was sent through the Principal District Judge. It is to say that the Judges who are asking for extension of the time in a case where time limit has been specified for disposal of the trial ought to have made a correspondence through the Registrar General or the Registrar (Judicial) of the High Court. They should not indulge in sending the letter for extension of the time for completion of the trial directly to the Registry of the Supreme Court"

Key Elements for a Standard Operating Procedure (SOP) as directed by the Hon'ble Supreme Court

- 1. Unacceptable Practice:** The Hon'ble Supreme Court noted the "persistent experience" that trial court judges dealing in cases where the Hon'ble Supreme Court has passed directions for expeditious conclusions of trials have been corresponding directly with the Supreme Court Registry, and these letters are subsequently placed before the Court for orders. As observed by the Hon'ble Supreme Court this practice is deemed "wholly unacceptable" and needs to be discontinued.
- 2. High Court Registry's Duty:** The Hon'ble Supreme Court clarified that when it issues a direction to conclude a trial, suit, or appeal expeditiously, it is the duty of the Registry of the concerned High Court to supervise the progress of such cases.
- 3. Procedure for Extensions:** If an extension for such a case is required, it may be granted with the satisfaction of the immediate supervisory officer. The correspondence regarding this extension shall then be forwarded to the Supreme Court by either the Registrar General or Registrar Judicial.
- 4. Precedent from Madhya Pradesh:** The Hon'ble Supreme Court referenced a recent case, `Ramkishore @ Kallu V. State of Madhya Pradesh @ Anr.` , where this issue was brought to its notice. Following a direction from the Hon'ble Supreme Court, the Registrar General of the High Court of Madhya Pradesh framed a Standard Operating Procedure (SOP), which was subsequently approved by the Administrative Committee-I of that High Court and placed on record. **The SOP is given in Appendix-I.**
- 5. Direction to the High Courts:** To correct the practice across other High Courts, the Hon'ble Supreme Court has directed that its Order be communicated to the Registrar Generals of all respective High Courts. The Registrar Generals are required to place this matter before their Hon'ble Chief Justice for the preparation of a Standard Operating Procedure (SOP). This SOP must specifically outline the manner in which cases wherein directions have been issued to expedite the hearing or conclusion of trial, suit or appeal shall be corresponded with the registry of the Hon'ble Supreme Court.

Scope and Ambit of the SOP

In view of the observations and directions of the Hon'ble Supreme Court and after a cognitive exercise on the key elements for a Standard Operating Procedure (SOP) the scope and ambit of the SOP can be summarized as follows:

- Define the scope and purpose of the SOP.
- Clarify that it supersedes any previous informal or direct communication practices between trial judges and the Supreme Court Registry.
- Specify the responsibility for supervision and for this purpose the SOP should specify which department or section within the High Court Registry will be responsible for this oversight.
- Procedure for Progress Monitoring.
- Procedure for Reporting.

Standard Operating Procedure (SOP) outlining the manner of correspondence praying for an extension of time from Hon'ble Supreme Court, in the cases wherein directions have been issued to expedite the hearing or conclusion of trial, suit or appeal.

In compliance of the order of Hon'ble Supreme Court of India dated 23.05.2025 passed in MA No. 919/2025 in SLP (Crl) No. 3607/2023 titled "Durgawati @ Priya vs. CBI" the following Standard Operating Procedure (SOP) is hereby issued for the Judges/Courts/Magistrates functioning under the jurisdiction of the High Court at Calcutta:

- 1. Objective of the Standard Operating Procedure (SOP).-** The primary objective of this SOP is to establish a uniform, clear, and channelized procedure for communication between the Trial Courts at District level (Sadar/Sub-Division/Taluka), the High Court, and the Hon'ble Supreme Court of India, specifically concerning cases where the Hon'ble Supreme Court has issued directions for expeditious hearing or conclusion of trial, suit, or appeal. This SOP aims to prevent direct correspondence from Judges of the Trial Courts at District level to the Hon'ble Supreme Court, ensure proper supervision and monitoring by the Hon'ble High Court, and streamline the process for requesting extensions of time, thereby enhancing judicial discipline, accountability, and efficiency, while maintaining proper hierarchical communication protocols.
- 2. Applicability.-**
 - 2.1.** This SOP shall be applicable to all Judges/Magistrates/Courts functioning under the jurisdiction of the High Court at Calcutta and presiding over trials/suits/appeals and other judicial proceedings in which a timeline/fixed schedule or time specific direction for disposal or performing any judicial function has been fixed or mandated by the Hon'ble Supreme Court.
 - 2.2.** The SOP shall supersede any previous notification/circulars, if any repugnant to the direction of the Hon'ble Supreme Court.
- 3. Procedure for Seeking Extension.-**
 - 3.1.** Judicial Officers shall, in no case, send a request for extension of time directly to the Registry of the Hon'ble Supreme Court without routing them through proper channel as mentioned hereinafter.
 - 3.2. In case of request for extension of time fixed by the Hon'ble Supreme Court of India:-**
 - 3.2.1.** In case the trials/suits/appeals or other judicial proceedings in which a timeline/fixed schedule or time specific direction for disposal or performing any judicial function has been fixed or mandated by the Hon'ble Supreme Court cannot be concluded within the fixed timeline, the concerned Judicial Officer (except District & Sessions Judge, Chief Judge, City Civil Court, Chief Judge, City Sessions Court, Chief Judge, Presidency Small Causes Court, Principal Judge/Additional Principal Judge, Family Court, Additional Chief Judicial Magistrate, Principal Magistrate of Juvenile Justice Board and Judicial Magistrate) shall, via official e-mail and regular mode, send the request positively before one week from the last date of compliance of the order, through

3.2.2. In case the trials/suits/appeals or other judicial proceedings in which a timeline/fixed schedule or time specific direction for disposal or performing any judicial function has been fixed or mandated by the Hon'ble Supreme Court cannot be concluded within the fixed timeline, the concerned Additional Chief Judicial Magistrate, Principal Magistrate of Juvenile Justice Board or Judicial Magistrate, as the case may be; shall via official e-mail and regular mode, send the request through the concerned Chief Judicial Magistrate to the District & Sessions Judge, and the rest procedure shall be as enumerated in the previous clause (Clause 3.2.1).

3.2.3. In case the trials/suits/appeals or other judicial proceedings in which a timeline/fixed schedule or time specific direction for disposal or performing any judicial function has been fixed or mandated by the Hon'ble Supreme Court and the same is pending before the District & Sessions Judge, Chief Judge, City Civil Court, Chief Judge, City Sessions Court, Chief Judge, Presidency Small Causes Court, Principal Judge/Additional Principal Judge, Family Court, and cannot be concluded within the fixed timeline, the concerned District & Sessions Judge, Chief Judge, City Civil Court, Chief Judge, City Sessions Court, Chief Judge, Presidency Small Causes Court, Principal Judge/Additional Principal Judge, Family Court himself/herself, as the case may be; shall send the request for extension of time, positively before one week from the last date of compliance of the order, via official e-mail and regular mode, directly to the Registrar Judicial Service (Appellate Side), High Court at Calcutta, who shall then, subject to compliance of Rule 7, forward the same to the Officer/Registrar concerned in the Registry of the Hon'ble Supreme Court through the concerned department of the High Court.

4. Duties and Responsibilities of the Presiding Officer.-

4.1. All Judicial Officers presiding over trials/suits/appeals and other judicial proceedings in which a timeline/fixed schedule or time specific direction for disposal or performing any judicial function has been fixed or mandated by the Hon'ble Supreme Court, shall render all possible efforts to strictly follow the direction of the Hon'ble Supreme Court. For such purpose, the Presiding Officer shall intimate such direction of the Hon'ble Supreme Court to the Ld. Advocates for both parties; in the event appearance of Ld. Advocates could not be secured, directly to the concerned parties.

4.2. Repeated or unreasonable delays without proper cause may be viewed seriously and subject to administrative scrutiny, if ordered.

4.3. Whenever any extension is sought for, the Presiding Officer shall identify the reason for the potential delay well in advance from the stipulated deadline as directed by the Hon'ble Supreme Court and prepare a detailed application and a report justifying the need for extension, including:

- a) Case details (Supreme Court case no., High Court/Trial Court case no., name of the parties);
- b) Date of the order of the superior court fixing the time limit and the original time limit set by Hon'ble Supreme Court or the Hon'ble High Court;
- c) Current status/stage of the proceeding;
- d) Specific reasons for delay;

unavoidable circumstances, if any; affecting the progress of the case or matter after the date of order of the superior court by which a specific time limit has been fixed and specific period of extension prayed for.

4.5. The aforesaid details shall be furnished by the Presiding Officer concerned in a tabular form as mentioned in **Annexure-I**.

4.6. The Presiding Officer shall submit the prayer following the procedure as mentioned in clause 3 of this SOP.

5. The Presiding Officer shall be required to submit to the District & Sessions Judge a status report on the 05th day of every month as regards the status of the cases wherein directions have been issued by the Hon'ble Supreme Court to expedite the hearing or conclusion of trial, suit or appeal. If any impediments in early disposal are faced by the Presiding Judge, then it shall be brought to the notice of the District & Sessions Judge who shall take up the matter with the appropriate authority on his administrative side.

6. **Duties and Responsibilities of the District & Sessions Judge/Chief Judge.-** Once any prayer as mentioned in the previous clauses has been submitted to the District & Sessions Judge/Chief Judge, the District & Sessions Judge/Chief Judge shall conduct a thorough review of the Presiding Officer's prayer/report and supporting documents and verify the genuineness of reasons for delay and steps taken by the Presiding Officer. The District & Sessions Judge/Chief Judge shall thereafter record his/her prima facie satisfaction and provide a reasoned recommendation on the prayer/report submitted by the Presiding Officer and forward the same along with his/her recommendation following Clause 3 of this SOP.

7. **Duties and Responsibilities in cases of prayer/report submitted by the District & Sessions Judge, Chief Judge, City Civil Court, Chief Judge, City Sessions Court, Chief Judge, Presidency Small Causes Court, Principal Judge/Additional Principal Judge, Family Court.-** If the prayer/report is to be submitted by the District & Sessions Judge, Chief Judge, City Civil Court, Chief Judge, City Sessions Court, Chief Judge, Presidency Small Causes Court, Principal Judge/Additional Principal Judge, Family Court the Registrar Judicial Service (Appellate Side), High Court at Calcutta shall conduct a thorough review of the prayer/report and supporting documents and verify the genuineness of reasons for delay and efforts made. The Registrar Judicial Service (Appellate Side), High Court at Calcutta shall thereafter record his/her prima facie satisfaction and provide a reasoned recommendation on the prayer/report submitted by the Presiding Officer and forward the same along with his/her recommendation following Clause 3 of this SOP.

8. **Reporting Requirement.-**

8.1. District & Sessions Judge, Chief Judge, City Civil Court, Chief Judge, City Sessions Court, Chief Judge, Presidency Small Causes Court, Principal Judge/Additional Principal Judge, Family Court as the case may be, shall monitor compliance with time-bound orders and shall periodically (preferably in every 30 days) review the status of pending cases or matters, where extensions have been sought or granted.

8.2. A registrar shall be maintained of such cases and periodical reports shall be filed before the Registrar General of the High Court at Calcutta.

8.3. Every case where a direction has been received from the Hon'ble Supreme Court, shall be mandatorily entered in the CIS (compulsorily entering data in respect of all fields) and maintained properly and if not maintained, the same shall be treated as a default.

9.2. The District & Sessions Judge may form a "Case Monitoring Committee" consisting of the senior most Judicial Officer in the station and the Chief Judicial Magistrate to assist in supervision and monitoring of the cases wherein directions have been issued to expedite the hearing or conclusion of trial, suit or appeal.

9.3. The District & Sessions Judge or the Committee, as the case may be; so constituted shall be responsible for maintaining a Dedicated Register titled: "Case Monitoring Register" (can be digital or physical), recording the following:

- a) Cause Title and Number of the proceeding (i.e. Sessions Trial/Sessions Case/Suit/Appeal/Misc Appeal/Misc Case)
- b) Nature of Proceedings
- c) Court in which pending
- d) Name of Presiding Officer
- e) Date of the Hon'ble Supreme Court's Order
- f) Timeframe given for disposal
- g) Next review date
- h) Date of last action taken

9.4. The District & Sessions Judge shall issue an order to the concerned Court enclosing a copy of the Hon'ble Supreme Court's order and directing strict adherence, immediately after receipt of the order of the Hon'ble Supreme Court,

9.5. The District & Sessions Judge/Committee may convene a monthly review of all the Hon'ble Supreme Court directed matters as per the register maintained.

9.6. A consolidated Monthly Compliance Report showing Total number of cases with particulars of the case wherein direction from the Hon'ble Supreme Court has been received, cases completed within timeline, cases requiring extensions shall be submitted by the District & Sessions Judge to the Registrar General, High Court at Calcutta. If there are any pending cases requiring extension, then the reason behind such delay shall be mentioned in that report.

9.7. If an unjustified delay is observed or no report is received by the District & Sessions Judge, he shall initiate corrective administrative actions and report to the High Court

9.8. All correspondence and reports (physical copy or soft copy) must be retained for inspection and future reference.

10. Monitoring at the High Court Level.-

10.1. The Registrar General of the High Court at Calcutta shall monitor compliance of the orders passed by the Hon'ble Supreme Court and may time to time, direct submission of periodical reports reviewing the status of the pending cases or matters where extensions have been sought or granted.

10.2. The Registrar General may nominate and depute any Registrar/Officer of the High Court at Calcutta to scrutinize the extension requests submitted/forwarded by District & Sessions Judges to ensure completeness and compliance with High Court's guidelines and to maintain a centralized record of all time-bound cases and extension requests.

11. **Review and Revision of the SOP.-** This SOP shall be subject to periodic review by the High Court, based on operational experience or further directives from the Hon'ble Supreme Court. Any revisions or amendments to this SOP shall be communicated to all concerned stakeholders.

12. The procedure as mentioned in this SOP shall be followed by all concerned stakeholders.

general awareness about the manner of correspondence praying for an extension of time from Hon'ble Supreme Court, in the cases wherein directions have been issued to expedite the hearing or conclusion of trial, suit or appeal.

Annexure-I.

Serial Number	Details	Information
	Case details [Supreme Court case no., High Court/Trial Court case no., name of the parties]	
	Date of the order [Order of the superior court fixing the time limit and the original time limit set by superior court]	
	Current status/stage [Current status/stage of the trial/suit/appeal/proceeding]	
	Specific reasons for delay	
	Steps taken [Steps taken to expedite the matter]	
	Particulars of the supporting documents	
	Exceptional circumstances if any [Exceptional or unavoidable circumstances affecting the progress of the case]	
	Period of extension [Specific period of extension prayed for with reason]	

Signature and official seal of the Presiding Officer