

THE GAUHATI HIGH COURT AT GUWAHATI
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

NOTIFICATION NO. 74

Dated: Guwahati, the 13th of October, 2020

In supersession of all previous orders/ notifications, the Hon'ble Gauhati High Court is pleased to authorize the District and Sessions Judges and the Presiding Officers of MACT/ Family Courts/ CBI Courts etc. in the state of Assam to resume limited physical court functioning, on an experimental basis, w.e.f. **19th October, 2020.**

The respective District and Sessions Judges and the Presiding Officers are directed to ensure installation of satisfactory protective measures in the concerned court rooms before resuming limited physical courts. The following category of cases may be taken up under this arrangement:-

District & Sessions Judge/Addl. District & Sessions Judge

- Hearing of Bail Application u/s 438/439 of Cr.P.C.
- Criminal Revision/Criminal Appeals.
- Recording of evidence in cases where sitting/former MPs/MLAs are accused persons.
- Recording of statement of accused persons u/s 313 of Cr.P.C. by invoking sub-section (5) of Section 313 Cr.P.C.
- Recording of evidence of M.O./I.O./Judicial Magistrates through video conferencing.
- Succession Matters.
- Civil Appeals.
- Submission of Examination-in-chief on affidavit.
- Cross examination of witnesses before Advocate Commissioner by maintaining Covid-19 protocols.
- Injunction Matters.
- Arbitration Matters.
- Arguments.

MACTs

- Submission of Examination-in-chief on affidavit.
- Cases pending for framing of issues in which the opposite parties have already filed WS.
- Cases pending for argument.
- Cases pending for defence witness but the Insurance Company is not willing to adduce any defence witness can be posted for argument.


13/10/2020

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- Cases pending for miscellaneous hearing in which physical involvement of litigants is not necessary.

- Issue of Cheques to the claimants by maintaining Covid-19 protocols.

Family Courts

- Civil and Criminal Execution cases.
- Maintenance *pendente lite* cases.
- Petitions seeking interim maintenance.
- Enhancement/reduction/cancellation of maintenance allowance cases.
- Withdrawal/compromise petitions.
- Cases relating to u/s 125 Cr.P.C.
- Submission of Examination-in-chief on affidavit.
- Cases fixed for framing of issues.

Special Judge, Assam/Special Judge, CBI/Special Judge, NIA

- Cases that are at the stage of final argument/judgment.
- Bail hearing, other Misc. Cases and petition hearings.

Labour court/Industrial Tribunal

- Cases fixed for framing of issues.
- Submission of examination-in-chief on affidavits.
- Cases fixed for arguments

Chief Judicial Magistrate/Addl. Chief Judicial Magistrate/JMFC

- Bail Applications
- Zimma Petition
- Recording of evidence in cases where sitting/former MPs/MLAs are accused persons.
- Recording of statement of accused persons u/s 313 of Cr.P.C. by invoking sub-section 5 of Section 313 Cr.P.C.
- Maintenance Applications
- Application for Protection order under the Protection of women from Domestic Violence Act, 2005.
- Recording of statements u/s 164 of Cr.P.C. of the victims and confession of statements of the accused persons.
- Recording of evidence of M.O./I.O./through video conferencing
- Submission of examination-in-chief on affidavits in cases u/s 138 of NI Act.
- Cases at the stage of arguments.

Principal Magistrate (Juvenile Justice Board)

- Bail Applications


13/10/2020

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- Zimma Petition
- Application for preliminary assessment of CCL
- Cases at the stage of arguments.

Civil Judge/Munsiff

- Title Appeals/Misc. Appeals
- Miscellaneous Applications filed under various provisions of Code of Civil Procedure
- Injunction Matters
- Execution Matters where urgent stay is required
- Submission of examination-in-chief on affidavits
- Cases at the stage of arguments
- Cross examination of witnesses before Advocate Commissioner by maintaining Covid-19 protocols.

Further, the concerned District and Sessions Judges / Presiding Officers may hear / take up any other item, not included above, which is deemed to be of utmost importance and urgency. The District & Sessions Judges and the Presiding Officers shall submit a report as to the desirability of continuing with this arrangement.

The aforesaid arrangement will be reviewed in the 2nd week of November, 2020, and a fresh decision will be taken depending on the inputs received from the Health Department, Government of Assam, and the pandemic situation at the relevant point of time in the concerned district (s).


By order,

Sd/- Raktim Duarah
REGISTRAR GENERAL

Memo No. HC.III-06/2020/2849-2881 /G dated Guwahati, the 13th of October, 2020.

Copy to:

1. The L.R.-cum-Commissioner & Secretary to the Govt. of Assam, Judicial Department, Dispur, Guwahati, Assam.
2. The Registrar (Vigilance/Judicial/Administration/Establishment), Gauhati High Court, Guwahati.
3. The Registrar, Gauhati High Court, Kohima Bench, Kohima / Aizawl Bench, Aizawl/ Itanagar Permanent Bench, Naharlagun.
4. The Registrar-cum-Principal Secretary to Hon'ble the Chief Justice, Gauhati High Court, Guwahati. Guwahati.
5. The District & Sessions Judge, _____ Assam.
6. The Principal Judge, Family Court, Barpeta / Cachar / Dhubri / Kamrup (M) – I, II & III / Nalbari, Assam.


13/10/2020

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7. The Member, MACT, Barpeta / Cachar / Dhubri / Goalpara / Kamrup (M) – I, II & III / Nagaon / Nalbari / Sonitpur / Kamrup (Amingaon), Assam.
8. The Special Judge-cum-Judge, Designated Court, Assam.
9. The Special Judge, Assam.
10. The Special Judge, CBI, Assam.
11. The Special Judge, CBI, Assam, Addl. CBI Court No. 1, 2 & 3, Guwahati.
12. The Presiding Officer, Labour Court / Industrial Tribunal, Kamrup (M), Guwahati / Dibrugarh, Assam.
13. The Presiding Officer, Industrial Tribunal, Cachar, Assam.
14. The Chairman, Bar Council of Assam, Nagaland, Mizoram, Arunachal Pradesh and Sikkim.
15. The President/Secretary General, Gauhati High Court Bar Association, Guwahati.
16. The President/General Secretary, Gauhati High Court Advocates' Association, Guwahati.
17. The President/Secretary, All Assam Lawyers' Association, Guwahati.
18. The President/Secretary, Lawyers' Association, Guwahati.
19. The Joint Registrar (_____), Gauhati High Court, Guwahati.
20. The Director, Law Research Institute. Gauhati High Court. Guwahati.
21. The Deputy Registrar (_____), Gauhati High Court, Guwahati.
22. The Librarian-cum-Research Officer, Gauhati High Court, Guwahati.
23. The Asstt. Registrar (_____), Gauhati High Court, Guwahati.
24. The Court Manager, Gauhati High Court, Guwahati.
25. The Special Officer, Translation Wing, Gauhati High Court, Guwahati.
26. The Project Manager, Gauhati High Court, Guwahati. *He is requested to upload this Notification in the website of the Gauhati High Court.*
27. The P.S. to Hon'ble Mr. /Mrs. Justice _____, Gauhati High Court, Guwahati.
28. The A.O. (Judicial), _____ Section, Gauhati High Court, Guwahati.
29. The Court Masters, Court No. _____, Gauhati High Court, Guwahati.
30. The Court Officer Nos. 1 & 2, Gauhati High Court, Guwahati.
31. The Chief Security Officer, Gauhati High Court, Guwahati.
32. The C.A. to the Registrar General, Gauhati High Court, Guwahati.
33. The Gauhati High Court Notice Board, (Old Block & New Block).


13/10/2020
REGISTRAR GENERAL

13.10.2020