

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

NOTIFICATION NO. 61

Dated: Guwahati, the 9th July, 2021

In supersession of all previous orders/ notifications, the Hon'ble Gauhati High Court has been pleased to issue the following guidelines in respect of the Subordinate Courts of Assam.

The Hon'ble Gauhati High Court has been pleased to authorize the District & Sessions Judges of Assam, the Presiding Officers of MACT/Family Courts/CBI Courts and all the Special Judges Courts etc. to resume limited Court functioning, with effect from 12th July, 2021, except in the districts with high positivity rate of Covid-19 cases, where the Government imposes complete lockdown from time to time:

The following category of cases may be taken up:-

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.


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- 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.
- 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
- 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.

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.

It is also notified that members of the staff of all Grades who are fully vaccinated, except those who are 55 years of age and above, shall attend office on every working day. Members of the staff of all Grades who have not received any dose or who have received a single dose of the Covid-19 vaccine shall attend office as per the working arrangement



determined by the concerned District and Sessions Judges / Presiding Officers.

Further, entry of outsiders shall be strictly prohibited in the Court premises unless specifically directed by the concerned authority or unless personal appearance of a party is required in a judicial proceeding. No person, except the learned Advocates/parties appearing in person, who are to address arguments, shall be permitted in the Court rooms. Bar rooms and canteens shall continue to remain closed.

All Court rooms must be thoroughly sanitized after court hours on a day to day basis

This Notification shall remain in effect until further order(s) and the districts with high positivity rate of Covid-19 cases, where the Government imposes complete lockdown from time to time, shall continue to follow the guidelines issued in Notification No. 35 dated 1st May, 2021.

By order,

Sd/- Raktim Duarah

REGISTRAR GENERAL

Memo No. HC.III-06/2020/2926-2957/G dated Guwahati, the 9th July, 2021.

Copy to:

1. The Registrar (Vigilance / Judicial/ Administration/ Estt.), Gauhati High Court, Guwahati.
2. The Registrar, Gauhati High Court, Kohima Bench, Kohima / Aizawl Bench, Aizawl/ Itanagar Permanent Bench, Naharlagun.
3. The Registrar-cum-Principal Secretary to Hon'ble the Chief Justice, Gauhati High Court, Guwahati. Guwahati.
4. The L.R. & Secretary to the Govt. of Assam, Judicial Department, Dispur, Guwahati, Assam.
5. The District & Sessions Judge, _____ Assam. He / She is requested to circulate this Notification amongst the Judicial Officers under his/her jurisdiction.
6. The Principal Judge, Family Court, _____ Assam.
7. The Member, MACT, _____, Assam.
8. The Special Judge, Assam
9. The Special Judge, CBI, Assam.
10. The Special Judge, CBI, Assam, Addl. CBI Court No. 1,2 & 3, Guwahati.



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


REGISTRAR GENERAL
Date: 9.7.21