

THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)

ORDER No. 65

Dated Guwahati, the 30th July, 2012

In supersession of the earlier order(s) in the matter, Hon'ble High Court has been pleased to introduce the Revised Action Plan for reduction in pendency of 5 years Old and other cases, for the period with effect from 01.08.2012 to 31.12.2012.

A. FOR THE COURTS OF DISTRICT / ADDL. DISTRICT & SESSIONS JUDGES

1. Every Judicial Officer will dispose of atleast 50 oldest pending cases from their respective files. Effort will be made to dispose of all 5 years and more pending cases.
2. All the cases of Under Trial Prisoners, where the custody period of accused is more than 2 years, should be disposed of at the earliest. Numbers of such cases be identified.
3. Criminal Appeals, pending for more than one year and all Criminal Revisions, pending for more than six months, be disposed of.

B. FOR THE COURTS OF CIVIL JUDGE / MUNSIFF / JUDICIAL MAGISTRATE

1. All Civil Courts shall dispose of 50 nos. of oldest civil cases and 20 nos. of oldest Execution Petitions / Judicial Magistrate shall dispose of 100 oldest criminal cases.
2. All cases of Under Trial Prisoners, where the custody period is more than 6 months, be disposed of at the earliest.
3. The Judicial Magistrate dealing with NI Act Cases, shall dispose of at least 200 oldest pending cases.
4. All Judicial Magistrates are directed not to pass remand order mechanically and shall ensure speedy investigation of the cases.

C. SPECIAL JUDGES (CBI COURTS) / SPECIAL JUDGE COURT, ASSAM.

At least 15 Nos. of Cases under Prevention of Corruption Act., pending for more than 5 years, should be disposed of.

D.MOTOR ACCIDENT CLAIMS TRIBUNAL

At least 200 oldest Cases be disposed of by the Presiding Officer working exclusively in such Tribunal.

The Presiding Officer shall ensure submission of **Accident Information Report** by Police under the provisions of Motor Vehicles Act and as per guidelines of the Apex Court, in this regard.

Further, all the Officers under the aforesaid categories, shall adhere to the following directions:

- i) The particulars of the aforesaid targeted cases, as on 01.08.2012, under this action plan, be sent by all the Judicial Officers, after physically verifying the same in their respective Court by 20th day of August, 2012, through concerned District Judge, without fail.
- ii) All Cases involving social concern shall be treated as Special Category and will be put on Fast Track i.e. to dispose of the same at the earliest, preferably within one month.
- iii) Weekly inspection of Civil and Criminal Nazarat be made by the respective Judge-in-charge to ascertain timely service of process and shall submit report to the concerned District & Sessions Judge.
- iv) Every District Judge shall hold meeting with the Judicial officers of the district **once** in a week. The District Judge should also advise the Judicial Officers within his jurisdiction on the deficient areas, for increasing the qualitative output of the concerned officers.
- v) All the Judicial Officers shall take recourse to coercive method, in appropriate cases, for attendance of I.O, M.O. & other witnesses to protect the right of the UTP to ensure speedy disposal.
- vi) The next **Monitoring meeting** regarding implementation of this Action Plan is schedule to be held on 13.10.2012 and 12.01.2013 at Gauhati High Court.
- vii) In the regular monthly conference with the SP and the Addl. SP, the District Judge shall furnish the list of cases with the names of the concerned police stations where the processes have not been served. In the next monthly meeting, the District Judge shall obtain feedback from the District Police Authorities about the action taken relating to the service of process on those cases intimated was given in the previous month. The minutes of the conference is to be maintained in a separate register, copy of which shall be sent to the Registry, within 1 (one) week thereafter.

- viii) Effort shall be made by all the Judicial Officers to club those criminal cases, where the I.O. or the M.O. is the same so that their evidences can be recorded, if possible on the same day and if not on the following day.
- ix) Care should be taken by the Judicial Officers not to neglect the current cases while making extra effort for disposal of the old cases.
- x) The Judicial Officer shall circulate the list of cases to be taken up in the next month to the Bar Association by way of a warning daily cause list, so that the learned lawyers get advance intimation on the cases scheduled to be taken up in the next month.
- xi) The CJMs / JMs should make special effort for committal of 5 (five) years old pending cases to the Court of Sessions. All out effort shall be made to commit all those cases to the Court of Sessions within the Action Plan period.
- xii) A report of the disposal figures in the consolidated form, as on the last day of every month, shall be submitted by the DJs and the CJMs, by 7th of the following month to the Registry.

By Order,


30/7/2012
JOINT REGISTRAR (Judl.I)


20/07/12