



High Court of Tripura Agartala

Order No. 92

Dated, Agartala, the 30th January, 2016

In continuation of the Order No.29, dated 25.04.2013, Hon'ble the Chief Justice has been pleased to issue the following guidelines for disposal of old pending cases: –

GUIDELINES FOR DISPOSAL OF OLD PENDING CASES

01. District & Sessions Judges, Additional District & Sessions Judges, Civil Judges (Senior Division), Chief Judicial Magistrates, Sub-Divisional Judicial Magistrates and Civil Judges (Junior Division) who are authorized to distribute the cases in a particular station, shall ensure that old pending cases are equally distributed to all the courts in their respective station. Cases which are considered voluminous and complicated shall be kept in the Court of senior officers.
02. Cases pending for more than 5 years (both Civil and Criminal) shall invariably be fixed on day-to-day basis after trial begins, till all the witnesses are examined/cross-examined and the argument is heard. Adjournment may be allowed only on exceptional grounds and once trial begins, in no case such adjournment should be more than a period of fortnight.

Even before beginning of trial, the case should not be adjourned for more than a period of fortnight.
03. Utmost endeavor should be taken to dispose of all the cases, pending for more than five years, within six months from the date of issue of these Guidelines.
04. Records of old pending cases should be kept in earmarked files with red-ink marking, so that it does not escape notice of the Presiding Officer and the Bench Clerk of the concerned Court on the fixed-date.
05. In the Case Diary and the Cause List of every Court, old pending cases should be marked in red ink to draw notice of all concerned.
06. Presiding Officers of all the Courts should fix a target to achieve 5+0 pendency within six months.
07. Cases pending for more than three years (both civil and criminal), should be disposed of within one year from the date of issue of these Guidelines.

Such cases should also be fixed on a day-to-day basis after trial begins till all the witnesses are examined/cross-examined and the argument is heard.

After beginning of trial, short adjournment may be allowed only on exceptional ground.

If adjournment is considered indispensable before beginning of trial, it should not be more than a period of one month. Courts should not hesitate to impose heavy costs or pass any such stringent orders in case parties to a *lis* appear to be delaying the matter intentionally and deliberately.

08. Courts dealing with the cases which are under investigation by police, should not hesitate to monitor the investigation so that a report in final form reaches the concerned Court without any delay, but such monitoring should not be an interference in the investigation.
09. All pending Traffic Challan and Police Act cases be taken up in Lok Adalats, fixing a target to dispose of all such pending petty cases within a year from date of issuance of these Guidelines.
10. Newly instituted cases should be dealt with by fixing a target to dispose of within the shortest possible time so that no one can raise finger saying that the decision in the case has been unnecessarily delayed.
11. At the stage of trial, even the newly instituted cases, should be fixed on day-to-day basis. In all cases, the utmost endeavor should be given to dispose of the cases within the shortest possible time after observing all the statutory formalities.
12. Even in cases pending for less than 3 years, dates should not be fixed exceeding a period of two months.

These guidelines shall have no bearing on cases which were earlier adjourned sine die, but revived later on. Nevertheless, all such cases should also not be adjourned for more than three months.

By Order,

Sd/—

(A. Debbarma)
Registrar (Judicial)

No.F. 40 (22)-HCT/BENCH/SUB.JUD/2016/ 1074-1105

January 30, 2016

Copy to: —

01. The District & Sessions Judge, West Tripura Judicial District, Agartala/Unakoti Judicial District, Kailashahar/South Tripura Judicial District, Belonia/North Tripura Judicial District, Dharmanagar/Gomati Judicial District, Udaipur for information and compliance. They are also requested to circulate the same amongst all the Presiding Officers of the concerned Courts under their respective Districts for information and compliance;

02. The Judge, Family Court, Agartala, West Tripura Judicial District/Kailashahar, Unakoti Judicial District/Udaipur, Gomati Judicial District for information and compliance. They are requested to circulate the same amongst all the Judicial Officers under their respective judgeships for information;
03. The Registrar (Vigilance), High Court of Tripura, Agartala;
04. The Registrar (Admn., P&M), High Court of Tripura, Agartala;
05. The Joint Registrar, High Court of Tripura, Agartala;
06. The Deputy Registrar(s), High Court of Tripura, Agartala;
07. The Principal Secretary to the Hon'ble Chief Justice, High Court of Tripura, Agartala;
08. The Chief Librarian, High Court of Tripura, Agartala;
09. The Secretaries to the Hon'ble Judges, High Court of Tripura, Agartala;
10. The Secretary attached with the Registrar General, High Court of Tripura, Agartala;
11. The Assistant Registrar(s), High Court of Tripura, Agartala;
12. The System Analyst, Computer Section, High Court of Tripura, Agartala. **He is directed to upload this order in the website of the High Court of Tripura;**
13. The Superintendent, Statement Section, High Court of Tripura, Agartala;
14. Order File.


(A. Debbarma)
Registrar (Judicial)