

WWW.LIVELAW.IN
HIGH COURT OF JAMMU AND KASHMIR AT JAMMU

ORDER

No.: 189 of 2021/RG

Dated: 05.04.2021

Keeping in view the sudden surge in COVID-19 infection cases in the Country in general and UTs of Jammu & Kashmir and Ladakh in particular, the High Court order No. 839/RG dated 03.02.2021 regarding resumption of physical hearing of cases is kept in abeyance for the time being and the hearing of cases in the High Court of Jammu & Kashmir as well as in the District and Subordinate Courts and Tribunals shall be conducted through Virtual Mode as per the following directions:

High Court

1. Entry of litigants and public into the Court premises from the very outer gate shall continue to be prohibited.
2. In addition to virtual hearing, the matters may also be taken up for physical hearing, where the learned counsel for both the parties to the *lis* give their consent for such physical hearing and if counsel for either party declines or fails to give such consent in that event the roster bench may consider the request of other counsel for physical hearing.
3. Identification of cases for physical hearing shall be done by the concerned Registrar Judicial a day before the date of listing.
4. Advocates concerned in a particular case, who intend to get their case listed for physical hearing, shall give written consent for physical appearance and provide the requisite detail of the case to the concerned Registrar Judicial through e_mail at least two days before the date of listing.
5. The Registrar Judicial concerned, then, shall provide list of such counsel whose cases are listed for physical hearing, well in time to the Incharge Security at the main gate to facilitate entry of such counsel.
6. In order to decongest the sections/offices/Courts, the officials shall be permitted to function in batches with 25 percent reduction on rotation basis. The roster in this regard, shall be formulated by the Registrar

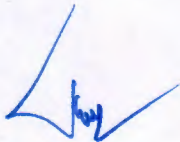


Judicial of the concerned wing. The officials, who as per the roster are not on duty in the office, shall not leave the station and shall remain available on telephone and electronic means of communication at all times.

7. The staff on duty and the counsel appearing physically in Court shall take necessary precautions, ensure physical distancing, wearing of mask and observance of SOPs and guidelines issued by the respective Governments from time to time.

District and Subordinate Courts and Tribunals in UTs of Jammu & Kashmir and Ladakh

1. Entry of litigants and public into the Court premises from the very outer gate shall continue to be prohibited.
2. Pr. District & Sessions Judges, taking into consideration the urgency involved, apart from virtual hearing, may, where the learned counsel for the parties/parties in person involved give their consent to appear for physical hearing, permit physical hearing in Criminal trials where accused is/are in Custody, Matrimonial Cases, MACT Cases, Cases under Section 138 of the Negotiable Instruments Act, Compromise matters or in any other matter as deemed desirable in the courts under their jurisdiction.
3. The courts under the supervision of concerned Pr. District & Sessions Judge, shall devise their own mechanism for listing of cases for physical hearing after taking consent of respective counsel, subject to their own assessment of prevailing local conditions including the intensity of COVID-19 infection.
4. The staff on duty in courts and the counsel appearing physically shall take necessary precautions, ensure physical distancing, wearing of mask and observance of SOPs and guidelines issued by the respective Governments from time to time.
5. In order to decongest the sections/offices of the Courts, the officials working in the Subordinate Courts, shall be permitted to function in batches with 25 percent reduction on rotation basis. The roster in this regard, shall be formulated by the concerned Presiding Officer of the Court. The officials, who as per the roster are not on duty in the office, shall not leave the station and



shall remain available on telephone and electronic means of communication at all times.

These directions shall remain in force till 18th of April 2021 unless reviewed earlier.

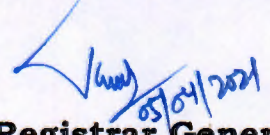
Sd/-
(Pankaj Mithal)
Chief Justice

No:- 8005-8014/RG/GS

Dated: 05.04.2021

Copy of the above forwarded to:

1. Principal Secretary to Hon'ble the Chief Justice, High Court of J&K, Jammu.
2. Secretary to Hon'ble Mr./Mrs. Justice _____,
..... for information of their Lordships.
3. Registrar Vigilance, High Court of J&K, Jammu.
4. Registrar Computers, High Court of J&K, Jammu.
5. Registrar Rules, High Court of J&K, Jammu.
6. Registrar Judicial, High Court of J&K, Jammu/Srinagar.
7. All Principal District Judges of the UTs of Jammu & Kashmir and Ladakh, with the request to circulate the same among the Judicial Officers within their jurisdiction.
8. Administrative Officer, Office of the Advocate General, J&K, Jammu.
9. President, all Bar Associations in UTs of J&K and Ladakh.
..... for information and compliance.
10. Incharge NIC for uploading the same on official website of the High Court of J&K.


Registrar General