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Mr. Amit Sharma

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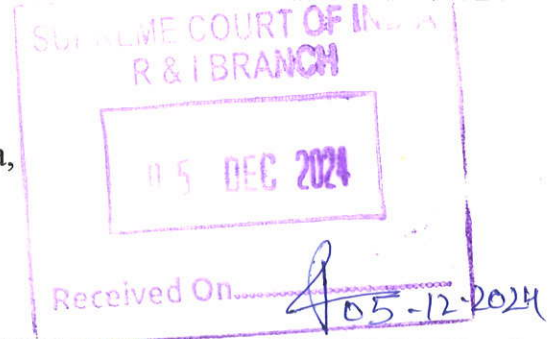
Mr. A. Selvin Raja

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Ref. No. 130/ SCAORA /2024

Date: 05.12.2024

To,
Hon'ble Justice Sanjiv Khanna,
Chief Justice of India,
Supreme Court of India,
New Delhi – 110 001.



SUBJECT: REQUEST TO ISSUE REVISED GUIDELINES FOR LETTER CIRCULATION BY ADVOCATE ON RECORDS.

Respected Lordship,

On behalf of the Association, I write to you with a sincere request to issue the revised guidelines for circulating adjournment letters in the Supreme Court. The discontinuation of this practice has caused severe impediments to the members of the Association, who despite being indisposed owing to genuine causes, are unable to request the Hon'ble Court in advance.

This practice, which allowed advocates to inform the Court of their unavailability due to personal or professional commitments, has been a valuable tool in ensuring the efficient functioning of the Court while minimizing any inconvenience for the parties involved including the Hon'ble Judges, who are burdened with reading the matter, only for a request for adjournment and accommodation made the next day, under unavoidable circumstances.

We are conscious that the concerned Advocates should not misuse such circulations to prolong the litigations. However, one cannot forget that the legal profession often requires advocates to balance multiple cases and obligations in various forums within and outside the State. There are also several occasions when an advocate may be unavailable to attend a hearing due to personal reasons including medical exigencies, prior professional commitments, or unforeseen circumstances.

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Under the previous practice, Advocates on Record were permitted to send an adjournment letter to the Court in advance upon intimating the other parties involved through their respective Advocates on Record, explaining their unavailability and requesting the rescheduling of the matter. This not only helped avoid unnecessary delays but also ensured that the Court's time was utilized effectively without causing undue disruption, and the Hon'ble Judge could consider the merit of the request made and not peruse the concerned files accordingly.

It is also pertinent to mention that issuing certain guidelines for the circulation of adjournment letters would enable advocates to promptly inform the Court in advance about any such circumstance, ensuring that cases are rescheduled in a timely manner and reducing the risk of adjournments that could disrupt the Court's schedule. Furthermore, such guidelines would allow the Court to manage its docket more efficiently and avoid inconveniencing other parties involved in the proceedings.

As members of the Association, individually and collectively, we understand the importance of maintaining the integrity of the Court's functioning.

We are, therefore, confident that the members will strictly adhere to the guidelines so issued and will only resort to circulating letters seeking adjournments under unavoidable circumstances and only if they fall under the categories as may be prescribed in the guidelines. Some categories by way of suggestions which the competent authority can consider are –

- (i) Medical Exigencies.
- (ii) Seeking time for completion of pleadings (Counter Affidavits/Rejoinders etc).
- (iii) The Advocate on Record is unavailable at the station/Delhi due to personal exigencies.
- (iv) Change in Advocate on Record and for collation of pleadings and/or Instructions, etc.

In light thereof, we humbly request your consideration in notifying certain guidelines and categories, wherein letters for adjournments can be circulated. These guidelines would ensure that

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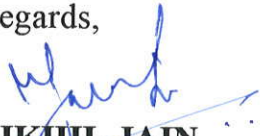
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the Hon'ble Judges do not spend time reading files for matters wherein otherwise adjournment may be sought the next day, due to unavoidable circumstances, the litigants don't suffer financially, and the members of the Association can continue to function with the utmost diligence.

We deeply appreciate your time and consideration in this matter, and we are confident that your guidance will greatly benefit the functioning of the Supreme Court.

Regards,



NIKHIL JAIN

Hony Secretary
SCAORA