

CIRCULAR

Date: 27/07/2020

Guidelines for physical filing of cases in Subordinate Courts of Gujarat

In continuation of Circulars / Guidelines dated 13.03.2020, 17.03.2020, 21.03.2020, 23.03.2020, 15.04.2020, 08.06.2020 and 26.06.2020, the High Court has been pleased to issue following guidelines for physical filing of all category of cases in the Subordinate Courts of Gujarat, with effect from 04.08.2020

1. All the Subordinate Courts of Gujarat, except the Courts falling in Micro Containment Zones, shall start accepting physical filing of cases as per the procedure and guidelines provided in this Circular. The Courts falling under Micro Containment Zones shall continue functioning as per the earlier Circulars of Hon'ble High Court of Gujarat.
2. The Principal Judicial Officer of all Courts shall identify and earmark a dedicated separate room with facility of window and shall create a special counter within such dedicated room in the Court Complex where litigants/advocates shall submit physical cases in a sealed envelope. The room should preferably be located at the entry point of the Court Campus/Building, as the case may be. It should be properly ventilated, isolated from other Court/Branches and contain a window through which the advocates/litigants can submit the case files for the purpose of filing in a sealed envelope. The timing for such filing shall be 11.00 AM to 2.00 PM. The Court Complex where the dedicated room is not feasible, alternatively, special counters shall be laid down for physical filing as provided in the circular.
3. The envelope of physical cases, so received, must be kept in abeyance for 24 hours in cupboard/cabinet. Once the 24 hour time-window lapses, the envelopes containing physical files are to be sent to the Filing Centre for the purpose of verification, registration and entry in CIS.
4. The Principal Judicial Officer shall impress upon the members of the Bar and Staff members of the Court, that:
 - a) The advocates/litigants shall be permitted to enter the Court Complex one after other and as per the norms laid down by the Principal Judicial Officer concerned.
 - b) No advocates/litigants shall be permitted to enter the Court Complex without mask. The advocates/litigants must ensure social distancing while filing matters as per above guidelines.

- c) The staff members shall wear the mask as well as gloves.
 - d) The advocates/ litigants must write details like name, mobile number, email address of the advocate, category of cases and an index of documents placed in the sealed envelope. The above information should be available on the top on the envelope.
 - e) The advocates/litigants must be extra cautious while filing of cases in sealed envelope so that there is no lacuna or query in case papers, which shall ultimately reduce delay in registration of cases.
5. The Principal Judicial Officer should only call for the requisite number of staff that may be minimum necessary for carrying out the above tasks of accepting physical filing and its further process upto registration of the matters. The matters may be registered within reasonable time that may be required considering the load of the filing received.
 6. Of the matters filed as above, only the matters which can be conducted through video conferencing as per circular dated 26.06.2020, may be proceeded with.
 7. In addition to the urgent matters specified in the circular dated 17.03.2020 and 08.06.2020, the matters of search warrant u/s. 97 of the Code of Criminal Procedure, 1973 and recovery of maintenance will also be treated as urgent and be proceeded with accordingly.
 8. For any other matter wherein the advocate/litigant concerned intends to press for urgent hearing, he/she may file a note of urgency alongwith the main case, which may be considered subject to the discretion of the Judicial Officer concerned, looking to the facts and circumstances of the case.
 9. The aforesaid guidelines are issued only for the purpose of physical filing, registration of fresh cases and conducting urgent matters as per para 7 mentioned above. Therefore, this must not be construed as starting of physical functioning of the Court-work. The rest of the Court work, shall continue as per earlier circulars/guidelines dated 13.03.2020, 17.03.2020, 21.03.2020, 23.03.2020, 15.04.2020, 08.06.2020 and 26.06.2020, of the High Court of Gujarat.

By the Order of the Hon'ble the Chief Justice

Rsein

Date: 27/07/2020

REGISTRAR GENERAL