

HIGH COURT OF MADHYA PRADESH, JABALPUR

An overview of the scheme for rationalization of assignment of cases before the Benches of the High Court of Madhya Pradesh

Introduction:- The number of cases being filed in the High Court of Madhya Pradesh has been consistently on the rise since the last 5 years. In order to meet ever increasing requirements, the number of cases fixed for hearing, streamlining the listing procedure and for better court management, the present scheme has been conceptualized for ensuring effective disposal, transparency, accountability and consistency to make it litigant and lawyer friendly and to subserve the aspirations of the stakeholders.

The principal object of the new scheme of roster/assignment is for strengthening the system and making it responsive and also for enhancing efficiency in docket management for dispensing quality justice to the litigants.

The main features of the scheme may be summed up as under:

REGARDING ADMISSION

1. No admission matter shall remain undated. In that, every admission matter shall bear some date, either given by the Court or auto-generated by the computer.
2. The matters notified on the daily/weekly Board alone would be treated as assigned to the concerned court, not the rest of the pending matters of that category.
3. Distribution of the work load equally amongst the available Judges on day to day basis.
4. The auto-generated programme has been designed to address relative urgency of different types of cases as per court policy.
5. After clearance of cases for motion hearing assigned to the concerned Bench, the cases for final hearing will be taken up ad seriatim by that Bench.

6. The left over cases or cases which could not be taken up due to non-availability of the concerned Bench on any given date will be assigned auto-generated returnable dates spread out from the following week in suitable lots. The returnable dates will be notified on the High Court official website in the case status of that case as also on the list/board for the next Court working day, for the information of the litigants and lawyers.
7. The advance draft daily list for the entire next week will be published on the previous working Friday. The soft copy of that list from Tuesday to Friday will be available on the High Court official website and the updated official daily list of those cases will be released on the previous court working day before 5.00 PM.
8. Any urgent / left over matter required to be listed on the next day after preparation of final list will be included in the supplementary list. The supplementary list shall indicate the serial no. when the matters included in the supplementary list will be called out for hearing.
9. Order matters which can be disposed of by common order will be notified on the Board separately with the proposed order to be passed therein and the returnable dates.
10. The motion hearing list will have separate heads of cases in the following order of precedence:-
 - A. Common Conditional Order
 - B. Settlement.
 - C. Direction Matters
 - D. Personal Appearance
 - E. Top of the list (for admission)
 - F. Fresh (for admission)
 - G. After notice (for admission)
 - H. Final disposal at admission stage.
11. Every fresh admission matter will be automatically listed without need for mentioning on the third court working day from the date of removing all the office objections.
12. Mentioning of pre-admission matters to which specific date has already been assigned by the court or auto-generated date should be avoided. Mentioning should be done only of matters which cannot wait till the

assigned date, for pre-poning the date or for change of date, if the same is not convenient to the Advocate or the parties, before the appropriate Bench.

13. Interlocutory applications filed in pre-admission (matter yet to be formally admitted by the Court) will be ordinarily listed along with main matter on its returnable date.
14. All connected matters will be listed under one serial no. in the daily/weekly list and not separately.
15. The chronology of admission matters lying undated in the Registry have been, to start with, arranged in descending order for listing before 31st January, 2014 with a view to obviate rush for mentioning of recently filed matters for urgent listing. Those dates are also notified on the case status of the respective case displayed on the High Court official website.
16. Bail applications will be listed as “Fresh Admission” in the first instance and thereafter for hearing below caption “After notice” in the **daily list**.
17. Cases of outstation Advocates will be listed on a particular day of the week as per administrative directions issued in this behalf by Hon'ble the Chief Justice.
18. The cases to be listed before DBI at the Principal Bench as well as the Benches, will be as per the assignment. Separate assignment is made for DBI.

Mentioning of matters:

1. Mentioning of DB matters to be notified in the Daily / Supplementary / Consolidated / Weekly List be made before the Designated Division Bench.
2. However, mentioning of DB matters already notified in the Daily / Supplementary / Weekly List be made before the concerned Hon'ble Division Bench, where the matter is so listed.
3. a) Mentioning of SB matters be made before the Designated Single Bench.
b) Mentioning of SB Arbitration matters and Company matters, be made before the designated Judge.

However, mentioning of SB matters already notified in the Daily/ Supplementary / Weekly List be made before the concerned Hon'ble Single Bench, where the matter is so listed.

REGARDING FINAL HEARING

1. Final hearing cases will be assigned to the respective Benches from the consolidated/monthly list (soft copy whereof will be displayed on the High

Court official website). That list shall consist of matters in the given category chronologically which are ready for final hearing. The relative position of matters included in consolidated/monthly list of the given cases will be indicated in the case status of that case.

2. Out of the said list, proportionate lots of cases will be assigned for the next working week court-wise chronologically by auto-generated computer programme.
3. An index of the entire consolidated / monthly list is made available for ready reference with hyperlink facility.
4. Part heard / specially assigned matters (except election petitions and Full Bench matters) would cease to be part heard / specially assigned with change of assignment unless a request for continuation of the matter is made by the parties and the same is approved by the Hon'ble Chief Justice.
5. The Election Petitions will be heard as priority cases by the concerned Judge to whom the case has been assigned, keeping in mind the statutory requirement of disposal of such cases within six months.

**SPECIAL ASSIGNMENT FOR COMPANY AND ARBITRATION
MATTERS**

Special assignment for company and arbitration matters is notified in the assignment.

Note:-The above scheme is flexible and open to suitable modifications to address issues of stakeholders and administrative exigency and operated by in house customized auto generated computer programme.

**Sd/-
(A.M. SAXENA)
PRINCIPAL REGISTRAR (JUDICIAL)
06.12.2013**

APPROVED

**Sd/-
CHIEF JUSTICE
06.12.2013**