

**HIGH COURT OF MADHYA PRADESH, JABALPUR****//STANDARD OPERATING PROCEDURE (S.O.P.)//  
(For Physical Final Hearing of the Cases)****No. A/115****Dated 15 /01/2021**

In the wake of prevailing Corona Virus (COVID-19) situation in the State of Madhya Pradesh. Hon'ble the Chief Justice, High Court of Madhya Pradesh, on consideration of the recommendations of the Hon'ble Committee of this High Court and the requests received from the Bar Associations, has been pleased to issue following Standard Operating Procedure (S.O.P.) with regard to the modalities of the functioning of the High Court for hybrid system of virtual physical hearing of the cases. This S.O.P. will be in addition to Video Conferencing & E-filing Guidelines published on 16.04.2020 and other circulars issues in this regard from time to time:

1. The physical hearing of the cases at Principal Seat Jabalpur and Benches at Indore and Gwalior will commence w.e.f. 18.01.2021 along with the virtual hearing. A consolidated list of cases ready for physical hearing will be published one week in advance. The Advocates will have an option to give their consent for physical hearing in the consent box provided against their names in the advance list. The consent should be given on or before the last working day of the week in which advance list is published. Only those cases from the advance list will be listed for physical hearing in the coming week as per the roster wherein the consent of Advocates for all the parties is received.

2. All the benches will hear cases by virtual mode till 1.30 p.m. (except on Thursday). From 2.30 P.M. the cases for physical hearing as per daily cause list will be taken up by the concerned Courts and after completing

physical hearing, remaining left over virtual hearing cases as per list will be taken up, if time permits. The Courts where no physical hearing matters are listed will hear case by virtual mode as per list the whole day.

3. The Advocates will also have an option to get their cases listed for physical hearing (other than the cases from advance list) by giving the consent of the Advocates for all other parties in the case. The request for such physical hearing can be made by submitting an application through e-filing tab namely '**Special Tab for Limited Physical Final Hearing**' as has been provided in the e-filing software, as per the procedure given in the SOP dated 20.11.2020.

4. On Thursday, physical hearing of the cases in the specified Courts will continue in terms of the earlier S.O.P. Admitted Writ Appeals, Writ Petitions, Criminal Appeals and Civil Appeals and other cases ripe for hearing will be listed on Thursday for physical hearing wherein consent of counsel for all the parties is received. The preference will be given to those criminal appeals in which appellants/accused persons are in Jail. These cases through physical mode will be heard as per roster and listing in the cause list.

5. Hearing through hybrid mode will be permitted wherein the Advocates above 65 years of age will be able to address the Court by virtual mode and other Advocates will address through the physical mode simultaneously. Such Advocates appearing through virtual mode will have an option to keep one instructing Advocate present in the Court through physical mode.

6. In the cases where State of M.P. is a party, the A.G. Office will make an endeavour to entrust the matter for physical hearing to separate set of State Advocates/Panel Lawyers for smooth function of both physical & virtual hearing.

7. The Advocates will have option to mention fresh matters which are not listed so far or which are earlier listed but adjourned without hearing. The

mentioning will be made by disclosing the urgency through e-mentioning chat box available in the official website of the High Court i.e. **wwwmphc.gov.in** between 10.30 A.M. to 01:00 P.M. The mentioning request will be considered by the Hon'ble Chief Justice/authorized Hon'ble Judge in the chamber.

8. For physical hearing entry will be permitted only to -
  - the Advocates/Petitioner-in-Person, whose names are reflected in the cause list for physical hearing, and registered clerk, only for delivering case files of such Advocates at the waiting area. Clerks shall leave the waiting area after delivering the case files and shall enter again only to recollect the same.
  - the Senior Advocates, as may be engaged by the party.
  - Government Advocate and/or Standing counsel of the concerned authority/department.
  - Petitioner-in-Person.
9. If the case is to be argued by a Senior Advocate then his/her name and mobile number shall also be mentioned in the application. Only one Senior Advocate and/or one Advocate and one Registered Clerk, per party, shall enter in the High Court premises. Advocates are advised to take minimum assistance of Registered Clerks.
10. As Government advisory has required restricted movements for persons aged 65 years and above, learned Advocates / Senior Advocates aged 65 years and above are requested to exercise due caution / avoid physical appearance in the Courts.
11. There shall be a common entry for the Advocates/Petitioners-in-Persons/Registered Clerks, from specified gates, after thermal screening for detecting body temperature and other screening, if required, for determining infection status, etc.

**12.** A system generated Message will be sent to registered Mobile number of the concerned Senior Advocates/Advocates (appearing for both sides),/Petitioner-in-Persons/Registered Clerks, whose names and mobile number are mentioned in the application. The system generated message, received in the mobile handsets will be treated as e-pass, which will have to be shown at the time of entry into High Court premises. The e-pass/Message will remain valid for a particular day and the entry will be strictly upon presentation of the e-pass.

**13.** On entering the Court premises, Advocates/Petitioner-in-Person shall proceed to the waiting area, specified for this purpose, only through the specified corridors and wait for their turn to enter the specified Court Rooms, where physical hearing of their case is scheduled. Display boards shall be functional for the convenience of all concerned.

**14.** Specified entry and exit gates/corridors/waiting area and Court rooms will be notified separately for Principal Seat Jabalpur and Benches at Indore and Gwalior.

**15.** No litigant would be permitted to enter in the High Court Premises unless there is a specific direction by the Hon'ble Court. In case the presence of a litigant is directed by the Hon'ble Court, then such litigant shall produce copy of the order directing his/her presence along with an ID proof at the entry gate of the High Court.

**16.** Entry of unauthorized persons in the High Court premises is prohibited. Gathering, even in small groups, is also prohibited. Bar Associations shall render due assistance in this regard.

**17.** Office of the Advocate General shall also assist in smooth functioning of physical hearing by deputing only the required number of Government Advocates/Panel Lawyers in the specified Courts.

18. Keeping in view the norms of social distancing, entry of Advocates in Court Rooms shall be permitted as per the availability of space in the Court Rooms.
19. If any Advocate/Petitioner in Person, even after giving consent, is not willing for physical hearing, then the hearing may be conducted as per the directions of the Hon'ble Court.
20. Advocates/Petitioner-in-Person appearing physically in more than one case, may wait in the waiting area for hearing of the next case(s).
21. After completion of hearing of the matter, Advocates/Petitioner in person/Registered Clerks shall leave through specified corridors and exit the High Court premises from the specified gates only.
22. No person shall approach Presentation Center, Copying Section and/or other sections or offices of the High Court.
23. All the stakeholders shall use sanitization devices for sanitizing their hands and also the papers and other items/articles, that they may be carrying into the Court Rooms with them.
24. Entry of Vehicles shall not be permitted inside the High Court Premises.
25. Adherence to all the Guidelines/Instructions, such as undergoing thermal scanning, maintaining social distancing, wearing of mask, proper sanitization etc., issued time to time by the Central Government/State Government and High Court of M.P., regarding prevention from Corona Virus (COVID-19), will be strictly followed by all concerned.

BY ORDER OF HON'BLE  
THE CHIEF JUSTICE

  
(RAJENDRA KUMAR VANI)  
REGISTRAR GENERAL