

APPENDIX-35

**IMPORTANT ORDERS, NOTIFICATIONS AND CIRCULARS
IN THE GAUHATI HIGH COURT**

(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,
MIZORAM AND ARUNACHAL PRADESH)

NOTIFICATION NO. 94

Dated Guwahati the 23rd december, 2010

In supersessions of all previous orders Hon'ble the Chief Justice has been pleased to fix the roster of Cases of the Division Bench for the Principal Seat of the Gauhati High Court, Guwahati as follows:-

<u>Sl. No.</u>	<u>Bench</u>	<u>Matters</u>
1.	Division Bench-I	Criminal Appeals including Hill Appeal & Hill Ref. cases, Death Reference cases, Appeals under the Companies Act, all matters relating to Tax including Income Tax Appeal and Tax Reference cases, PIL, Custodial death, WP(Cr.), Taken up matters, Contempt Petition (Cr.), WP(C) relating to Police and Army actions, Arbitration Appeal, Confirmation of decree of divorce and any such matters as may be specifically directed to be listed.
2.	Division Bench-II	Writ Appeal, Writ Petition against the order of CAT, cases in respect of service matter of Judicial Officers, employees of the High Court and Subordinate Courts, Civil Appeals including Contempt Appeal and any such matters as may be specifically directed to be listed

The aforesaid arrangement will come into force with effect from 3rd January, 2011

By Order,
Sd/- P.K. Saikia
REGISTRAR GENERAL

Memo No. HC. III - 39/2010/6512-27/G, dated 23.12.2010

ORDER NO. 81

Dated Guwahati the, 12.11.2010

Hon'ble the Chief Justice has been pleased to direct that henceforth the Anticipatory Bail application filed under Section 438 Cr.P.C. shall be classified as AB.

By Order,

Sd/- H.K. Sarma

REGISTRAR (VIGILANCE)
I/C. REGISTRAR GENERAL

Memo No. HC. III - 39/2010/5146-5161/G, dated 12.11.2010

ORDER NO. 37

Dated Guwahati, the 31.07.2010

Hon'ble the Chief Justice has been pleased to direct to follow the practices mentioned below:-

(1) Whenever a petition/appeal is filed, the Index should also give a brief description of the index with date in not more than one/two lines, e.g:-

"Annexure - 1 Order dated DD/MM/YYYY

Annexure- 2 Representation dated DD/MM/YYYY sent by the Petitioner.

Annexure - 3 Letter dated DD/MM/YYYY sent by the Respondent No.1 to the Petitioner"

(2) In appeals/revisions the impugned judgment and order should be placed immediately below the index as the first item.

(3) Instead of annexing Court Fee stamps separately on various documents in the petition/appeal, consolidated Court fees may be affixed on a separate sheet of paper.

(4) This practices direction will come into effect with effect from 1st September, 2010

By Order,

Sd/- P.K. Saikia

REGISTRAR GENERAL

Memo No. HC.III-29/2006/2873-2890/G dated 03.08.2010

NOTIFICATION NO. 17

Dated Guwahati, the 19.05.2010

Henceforth all the Judicial Officers who are dealing with civil matters wherein decrees are to be prepared, shall see that decree in such cases is framed within 15* days from the date of the Judgment. They shall monitor the works of the clerk concerned who is to frame the decree. In case, any of the Subordinates does not observe the orders issued by the concerned Judge, then the concerned Judge would be entitled to make report into the conduct of such employee. Further, if the decree is not framed within the period of 15* days as observed above, the concerned Judicial Officer may have to face disciplinary proceeding.

By Order,

Sd/- H.K. Sarma

REGISTRAR (VIGILANCE)

I/C. REGISTRAR GENERAL

Memo No. HC. III - 47/2005/1769-1781/G, dated 19.05.2010

*Note: In Notification No. 17 the words "15 days" have been substituted in place of the

words "14 days" vide corrigendum No. 18 dated 24.05.2010 Memo No. HC. III-47/2005/1801-1813/G, dated 24.05.2010.

ORDER No. 12

Dated Guwahati, the 6th April, 2010

Hon'ble the Chief Justice (Acting) has been pleased to order to accept Xerox copies of papers/documents, which are neat and clean, legible with sufficient spece in between the lines of the contents, enclosed alongwith the Application and Memorandum of Appeal filed in the Principal Seat of the Gauhati High Court as well as its Permanent Benches.

This order shall come into force with immediate effect.

By Order,
Sd/- P.K. Saikia
REGISTRAR GENERAL

Memo No. HC. III - 29/2006/796-811/G, dated 06.04.2010

NOTIFICATION NO. 15

Dated Guwahati, the 23rd March, 2010

In supersession of earlier Orders/ Notifications, Hon'ble the Chief Justice (Acting) has been pleased to pass the following order in respect of the Principal Seat of the Gauhati High Court w.e.f. 29th March, 2010:-

Division Bench - I will take up Motion, Admission and Order matters relating to Division Bench - I on Motion Days and Hearing Matters pertaining to Division Bench - I throughout the week. Similarly, Division Bench - II will take up Motion, Admission and Order matters relating to Division Bench - II on Motion Days and Hearing matters pertaining to Division Bench - II throughout the week.

By Orders,
Sd/- P.K. Saikia
REGISTRAR GENERAL

Memo No. HC. III - 35/2002/646-662/G, dated 23.03.2010

ORDER NO. 4

Dated Guwahati, the 19th February, 2010

Henceforth it is made compulsory in an anticipatory bail application to add a paragraph on the body of the bail petition itself stating as to whether earlier any such bail application was filed and what order was passed thereon giving the number and date.

By Order,
Sd/- P.K. Saikia
REGISTRAR GENERAL

Memo No. HC. III - 29/2006/329-348/G, dated 19.02.2010

NOTIFICATION NO. 42

Dated Guwahati, the 1st October, 2009

As per decision of the Hon'ble Administrative Committee Meeting held on 08.09.2009, the following Guide Lines have to be followed by all concerned at the time of filling Application/Petition etc. before the Hon'ble Gauhati High Court:-

1. The number of petitioners in a case be sepcified, for e.g.: ABC & 21 others instead of ABC & Ors.

2. In Section 5 of the Limitation Act Applications, the delayed days be mentioned in first page itself.

3. In 439 Cr.P.C. applications, date of arrest and name of Police Station/ Case No. etc. be mentioned in the first page itself.

4. In Contempt Case, the order alleged to be violated should be referred specifically in the first page with Annexure No. and Page No.

All concerned should follow the above instructions with immediate effect.

By Order,
Sd/- P.K. Saikia
REGISTRAR GENERAL

Momo No. HC. III - 35/2002/2483-2505/G, dated 01.10.2009

NOTIFICATION NO. 18

Dated 2nd May, 2009

Hon'ble the Chief Justice has been pleased to order that henceforth any Bail Application(s) filed in a particular case after rejection of the earlier application(s) in the same matter shall be listed as far as practicable before the same Hon'ble Judge, if available, who rejected the earlier Bail Application(s).

Hon'ble the Chief Justice has further been pleased to order to list such Second/Subsequent Bail application(s) as per roster in the event of non-availability of Hon'ble Judge(s) in the concerned station.

By Order,
Sd/- H. Baruah
REGISTRAR GENERAL

Memo No. HC-III-50/2002/1071-1085/G, Dated 02.05.2009

ORDER NO. 91

Dated Guwahati, the 15th December, 2006

As directed, henceforth the Filing Section shall not accept any Affidavit-in-Opposition / Counter Affidavit, unless copy thereof is served upon the Learned Counsel for the Petitioner as well as Learned Counsel for the Respondent also.

This will apply in case of affidavit filed by one of the Respondents in as much as such affidavit filed by one of the Respondents shall be served upon all

other Respondents on record.

This shall come into force with immediate effect.

By Order,
Sd/- D.C. Choudhury
REGISTRAR (JUDICIAL)

Memo No. HC III-47/2005/3498-3508/G, dated 15.12.2006

ORDER

Dated Guwahati, the 3rd November, 2006

Hon'ble the Chief Justice is pleased to direct to inform Learned Advocate(s) of the party concerned before transmitting any case to the respective Permanent Bench of the Gauhati High Court. Henceforth, no case record(s) shall be transmitted to the respective Permanent Bench of the Gauhati High Court without prior intimation to the Learned Advocate(s).

By Order,
Sd/- D.C. Choudhury
REGISTRAR (JUDICIAL)

Memo No. HC III-47/2005/3188-3200/G, dated 03.11.2006

NOTIFICATION NO. 71

Dated 31st October, 2006

It is for information of all concerned that Hon'ble the Chief Justice has been pleased to allow the Lawazima Court to accept the service reports under Order V Rule 9(5) of the C.P.C. with immediate effect.

By Order,
Sd/- D.C. Choudhury
REGISTRAR (JUDICIAL)

Memo No. HC III-35/02/3048-3063/G, dated 31.10.2006

ORDER NO. 52

Dated Guwahati, the 22nd August, 2006

In supersession of all earlier orders, Hon'ble the Chief Justice is pleased to direct to list the Contempt (Civil) matters before the Division Bench in which the Contempt proceeding has been filed for non-compliance of the order passed by the Division Bench.

By Order,
Sd/- H. Barua
REGISTRAR GENERAL

Memo No. III-29/2006/218702198/G, dated 22.08.2006

ORDER NO. 22

Dated Guwahati the 27th March, 2006

Hon'ble the Chief Justice has been pleased to introduce new clauses to the existing check list for grouping of cases involving the common/similar question of law, at the stage of filing of a case by requesting the Learned Advocates to mention/indicate similar matters in the following format in Part-I and Part-II at Page No.3.

PART - I

(Declaration to be incorporated in case of Bail Application)

1.No. of Bail Application on behalf of the accused in respect of the above case is pending in the High Court or any other Court.

2.In case of Anticipatory Bail Application, state whether any earlier application was rejected, if yes, give details.

SIGNATURE OF THE ACCUSED
OR PERSON AUTHORISED
BY THE ACCUSED

PART - II

TO BE FILLED IN BY THE ADVOCATE

(To be transmitted to the Deputy Registrar (G&C) alongwith a copy of cause title to be supplied by the petitioner/appellant)

Filing Receipt/ Case No. _____ Category Code No. _____

Similar matters pending or disposed of involving common/similar question of law, if any, with the case numbers : -

PENDING MATTERS:	DISPOSED OF MATTERS:	DATE OF DISPOSAL:
(i)	(i)	
(ii)	(ii)	
(iii)	(iii)	
(iv)	(iv)	
(v)	(v)	

(Additional sheet may be attached as per requirement)

ADVOCATE FOR APPELLANT/PETITIONER

By Order,

Sd/- H. Barua

REGISTRAR GENERAL

ORDER NO. 18

Dated Guwahati the 23rd March, 2006

Hon'ble the Chief Justice has been pleased to direct to register all the petitions / applications filed under Section 482 of the Code of Criminal Procedure as Criminal Petition and not as Criminal Revision Petition.

By Order,
Sd/- H. Baruah
REGISTRAR GENERAL

Memo No. HC III-47/2005(Pt)/721-735/G, dated 03.03.2006

CIRCULAR NO. 19

Dated Guwahati, the 19th March, 2006

I am directed to inform you about the precautions to be taken relating to requisition and transmission of Case Records:

1. When any Case Record is called for, the Record required shall only be requisitioned by clearly mentioning the Case Number.
2. While transmitting Case Records, the Record specifically requisitioned shall only be transmitted.
3. No other Case Record, even though may be related, shall not be transmitted unless specifically requisitioned.
4. While transmitting Case Record in connection with Criminal Revision, the Trial Court Record along with Case Diary shall also be transmitted.
5. While transmitting Case Record in connection with Criminal Appeal, the Case Diary and the committed Record shall also be transmitted along with the Trial Court Record.

By Order,
Sd/-A. Alam
REGISTRAR (VIGILANCE)

Memo No. HC III-47/2005(Pt)/756-773/G, dated 09.03.2006

ORDER NO. 17

Dated Guwahati, the 2nd March, 2006

Hon'ble the Chief Justice has been pleased to pass the following directions for general information :-

1. Entry of Advocates, Advocates' clerks and outsiders shall not be allowed in all the Judicial Sections including Bench Section except during the allotted time i.e. from 10.00 A.M. to 11.00 A.M. and 2.00 P.M. to 3 P.M. without written permission from the Registrar (Judicial)
2. Entry of Advocates, Advocates' clerks and outsiders into the office

rooms of Private Secretaries to the Hon'ble Judges, is strictly prohibited.

3. All Court Masters shall release the Judgement(s) and the connected case record(s) to the concerned Private Secretary immediately after delivery of Judgment(s) by the Hon'ble Judge(s). In turn, the Private Secretary shall send the case record(s) alongwith original Judgment(s) to the concerned section forthwith after taking necessary action.

Any violation of the above shall be viewed seriously.

By Order,
Sd/- H. Baruah
REGISTRAR GENERAL

Memo No. HC III-47/2005(Pt)/702-717/G, dated 2.3.2006

ORDER NO. 16

Dated Guwahati the 27th February, 2006

In supersession of all earlier orders, henceforth, the Registry is directed as follows :-

1. All cases relating to service matters of Judicial Officers, Members of the Registry, Staff of the High Court and staff of the Subordinate Judiciary are required to be listed before the Division Bench headed by Hon'ble the Chief Justice.

2. Such case shall be placed before Hon'ble the Chief Justice prior to registration of those cases.

3. Notice must be served upon the Standing Counsel for the High Court before filing such cases.

This order shall come in to force with immediate effect.

By Order,
Sd/- B. Sudarshan Reddy
CHIEF JUSTICE

Memo No. HC III-35/02/637-652/G, dated 27.02.2006

ORDER NO. 5

Dated Guwahati the 27th January, 2006

In the case of a Writ petition(Civil) (Taken up), the Registry shall serve notice alongwith copy of the petition etc. on the Government Advocate/ Standing Counsel concerned before listing.

By Order,
Sd/- H. Baruah
REGISTRAR GENERAL

Memo No. HC III-47/2005(Pt)/G, dated 27.01.2006

ORDER NO. 2

Dated Guwahati the 18th January, 2006

1. All Division Bench cases in which any Judicial Officer or Member of the Registry of the High Court are impleaded as parties are directed to be listed before the First Court.

2. All the matters that are required to be heard by the learned Single Judges in which any Judicial Officer or Member of the Registry of the High Court may have been impleaded as parties are required to be listed before the learned Single Judges in accordance with roster.

The Order No.30 dated 28.07.2005 shall accordingly stand modified with effect from 18.01.2006.

By Order,
Sd/- B. Sudarshan Reddy
CHIEF JUSTICE.

Memo No.HC.III-47/2005/131-144/G, dated 20.01.2006

NOTIFICATION

Dated Guwahati the 8th December, 2005

Hon'ble the Chief Justice has been pleased to order that henceforth Mentions in respect of Cases at the Principal Seat of the Gauhati High Court be as follows :

1. Mention in respect of Division Bench matters shall be made before the Division Bench. If more than one Division Benches are sitting at the same time, mention shall be made before the Senior Division Bench.

2. Mention in respect of Criminal matters shall be made before the Criminal Bench. If more than one Benches taking up Criminal matters are sitting at the same time, mention shall be made before the Hon'ble Senior Judge taking up Criminal Bench.

3. In respect of matters relating to Civil Benches, mention shall be made before the Hon'ble Senior Judge taking up Civil Benches.

This is in continuation of guidelines for listing of cases at the Principal Seat issued vide Memo No. HC.III - 35/2002/1709-1725/G dated 13.10.2004.

By Order,
Sd/-
REGISTRAR GENERAL

Memo No. HC III-35/02/3476-3501/G, dated 08.12.2005

ORDER NO. 28

Dated Guwahati the 4th August, 2005

Hon'ble the Chief Justice of the Gauhati High Court has been pleased to direct that the cause lists will be published as follows : -

1. 'Hearing Cause List' instead of Part - II Cause List.
2. 'Daily Cause List' instead of Part - I Cause List.
3. Additional / Supplementary Cause List.

By Order,
Sd/- C.R. Sarma
REGISTRAR (I&E)

Memo No. HC.III - 70/2004/2354-2369/G, dated: 09.08.2005

OFFICE ORDER

Dated Guwahati the 6th August, 1997

It is hereby ordered that henceforth all Writ Appeals will be registered promptly after filing, if found in order, and be sent immediately to Bench Section for listing before respective Division Bench, for admission, alongwith Misc. Cases. if any.

By Order etc.,
Sd/- S.M. Rashid
DY. REGISTRAR (JUDL)

Memo No. HC.III-12/85/1306/G, dated 08.08.1997

OFFICE ORDER NO.19

Dated Guwahati the 29th July, 1997

It is hereby ordered that all the names of the parties in the Cause Title are to be mentioned completely while issuing Certified Copies of the Order and / or Judgment, in different cases.

By Order,
Sd/- A.C. Upadhyay
DY. REGISTRAR (I&E)

Memo No. HC.III-15/93/1586 to 1592/G, dated 10.09.1997

ORDER NO. 17

Dated Guwahati the 29th July, 1997

Writ Petitions / Applications relating to Public Interest Litigation will be placed before Deputy Registrar (Judl), who will examine and scrutinise such P.I.L. matters and place the same before "P.I.L. Cell". Such P.I.L. matters after due scrutiny by the "P.I.L. Cell" will be placed before me for obtaining orders for registration of the case and for constitution of a Bench for hearing of such matters.

By Order,
Sd/- M. Ramakrishna
CHIEF JUSTICE.

Memo No. HC.III-12/85/1189/G, dated 30.07.1997

OFFICE ORDER NO. 14

Dated Guwahati the 16.2.1994

In partial modification of the Order No. 67 issued under Memo No. HC. III - 12/85/31026-125/G, dated 21.12.1992, the Hon'ble High Court is pleased to order that no separate petition for stay will be necessary for a petition filed under Article 226 of the Constitution of India.

This will come into force with immediate effect.

By Order,
Sd/- D. Biswas
REGISTRAR (JUDICIAL)

Memo No. HC. III - 12/85/978-98/G, dated 17.02.1994

ORDER NO. 38

Dated Guwahati the 6th July, 1993

It is hereby ordered that henceforth, all the Judicial Sections shall place the orders / Judgments received from the Hon'ble Supreme Court before the Hon'ble the Chief Justice for his Lordship's perusal.

This will come into force with immediate effect.

By Order,
Sd/- D. Biswas
REGISTRAR (JUDICIAL)

Memo No. HC.III-14/93(Pt)/7611-20/G dated 07.07.1993