

## **SUPREME COURT OF INDIA**

No. F.No.52/Judl./2009  
New Delhi, Dated April 21, 2009

### **CIRCULAR**

Some proposals to streamline the procedure of the Filing Counter were discussed by the Senior Officers of the Registry with the Presidents and Secretaries of the Supreme Court Bar Association and Supreme Court Advocates-on-Record Association and they have agreed that the proposals may be implemented.

After discussion the proposals were placed before Hon'ble the Chief Justice of India and His Lordship has approved the same. The revised procedure for filing and scrutiny of the matters at the Filing Counter is indicated below for the information of the Members of the Bar:-

**(A)** At present Caveat matching is got done in a matter at the time of registration. Caveat clearance will now have to be obtained by the Advocates in all the matters **before** filing as well as before **refiling**. There will now be 2 Counters for obtaining caveat clearance.

#### **(B) MATTERS FILED WITH CHECK LIST**

The Check List matters will be received at the Filing Counter and after feeding the Cause Title and Advocate's Code, marked to a Scrutiny Assistant by name and the Diary Number generated in Computer. The Advocate/Registered Clerk will leave the Filing Counter after getting the Diary Number. The matter will then be scrutinized as per new Modified Check List and the defects tickmarked, if any. The Scrutiny Assistant

will not add any defect beyond the ones mentioned in the Modified Check List.

The matters which are filed before 1.00 pm and are in order will be registered on the same day. The matters which are filed after 2.00 pm and found in order will be registered by 1.00 pm the following working day. If the matter filed before 1.00 p.m. is found defective, the same will be returned to the Advocate/Registered Clerk by 4.00 p.m. on the same day through the Defective Matters Counter. If the matter is filed after 2.00 p.m. and is found defective, it will be returned on the following working day by 4.00 p.m., through the Defective Matters Counter.

In the matters which are in order, the Scrutiny Assistant will take all actions and forward the file to DEU-I Section with endorsement for registration.

**(C) MATTERS FILED AS ORDINARY**

Same procedure for scrutiny and registration will be adopted as given above in the Check List portion at 'B' above.

If the matter is found defective, it will be returned to the Advocate/Registered Clerk after feeding the defects in Computer, by 4 p.m. on the next working day. Section IB will prepare a list of the defective matters to be returned to the Advocates and put up the same on the Notice Boards of Section IB, Bar Associations, Porta Cabin and on the website showing the Diary No. and the name of the Advocate. The limitation of 28 days for refileing the matter will start from the next day of the publication of the List of Defective Matters on the Notice

Boards. Such Defective Files will be returned through the Defective Matters Counter.

**(D) REFILED MATTERS**

The defective Check List matters as well as Ordinary Matters will now be accepted at 10 Refiling Counters - 7 in the Porta Cabin and 3 in the Main Hall of Section I-B. 3 Refiling Counters in Main Hall of Section I-B will be exclusively for the Advocates. No new defect will be raised by the Dealing Assistants at the time of refiling. After verifying that all the notified defects have been removed, the matter will be processed for registration by the Scrutiny Assistant as per the procedure detailed at 'B' above.

**(E)** At present defective Writ Petitions and Transfer Petitions are not returned to the Advocates/Registered Clerks and the defects are got cured at the Filing Counter. This practice would be discontinued and the WPs/TPs would also be returned to the Advocates for refiling after curing the defects.

**(F)** The Check List has also been modified and it now contains 21 points, as given in **Annexure 'X'**.

**(G)** Two persons at the Filing Counter will remain on duty in the Porta Cabin from 5 p.m. to 8 p.m. to receive matters, after Caveat clearance, and to provide Diary Nos. to the Advocates/Registered Clerks.

The revised procedure will come into force w.e.f. **4<sup>th</sup> May, 2009**.

Hon'ble the Chief Justice of India has also acceded to the request of the representatives of the Bar Associations that on the written joint request of the Advocates for all appearing parties, Registrars (Courts) will adjourn a matter, provided the matter has not appeared in any List and the date is not fixed by the Court.

(Subhash Malik)  
Registrar (J- II)

(T.Sivadasan)  
Registrar(J-I)

Copy to:-

1. The Secretary, Supreme Court Bar Association with five spare copies of the Circular with a request that this may be displayed on the Notice Boards of the Bar Association for the information of the Members of the Bar.
2. The Secretary, Supreme Court AOR Association with five spare copies of the Circular with a request that this may be displayed on the Notice Boards of the Bar Association for the information of the Members of the Bar.
3. All the Notice Boards outside the Courts.