

**HIGH COURT OF MANIPUR
AT IMPHAL**

NOTIFICATION

Imphal, the 2nd December, 2023

No. HCM/I-4/76-Estt(vii)/

Whereas, the Hon'ble Supreme Court vide order dated 20th October, 2023 passed in Civil Appeal No. 4296 of 2023 titled, "Yashpal Jain -Vs- Sushila Devi & Others" have issued certain directions to the trial courts for ensuring speedy justice. The High Court of Manipur hereby issues directions to all the Civil Courts to strictly comply with the order dated 20th October, 2023 passed in Civil Appeal No. 4296 of 2023 titled, "Yashpal Jain -Vs- Sushila Devi & Others" which is reproduced as under:

1. All the Courts at district and taluka levels shall ensure proper execution of the summons and in a time bound manner as prescribed under Order V Rule (2) of CPC and same shall be monitored by Principal District Judges and after collating the statistics they shall forward the same to be placed before the committee constituted by the High Court for its consideration and monitoring.
2. All courts at District and Taluka level shall ensure that written statement is filed within the prescribed limit namely as prescribed under Order VIII Rule 1 and preferably within 30 days and to assign reasons in writing as to why the time limit is being extended beyond 30 days as indicated under proviso to sub-Rule (1) of Order VIII of CPC.
3. All courts at Districts and Talukas shall ensure after the pleadings are complete, the parties should be called upon to appear on the day fixed as indicated in Order X and record the admissions and denials and the court shall direct the parties to the suit to opt for either mode of the settlement outside the court as specified in sub-Section (1) of Section 89 and at the option of the parties shall fix the date of appearance before such forum or authority and in the event of the parties opting to any one of the modes of settlement directions be issued to appear on the date, time and venue fixed and the parties shall so appear before such authority/forum without any further notice at such designated place and time and it shall also be made clear in the reference order that trial is fixed beyond the period of two months making it clear that in the event of ADR not being fruitful, the trial would commence on the next day so fixed and would proceed on day-to-day basis.

4. In the event of the party's failure to opt for ADR namely resolution of dispute as prescribed under Section 89(1) the court should frame the issues for its determination within one week preferably, in the open court.
5. Fixing of the date of trial shall be in consultation with the learned advocates appearing for the parties to enable them to adjust their calendar. Once the date of trial is fixed, the trial should proceed accordingly to the extent possible, on day-to-day basis.
6. Learned trial judges of District and Taluka Courts shall as far as possibly maintain the diary for ensuring that only such number of cases as can be handled on any given day for trial and complete the recording of evidence so as to avoid overcrowding of the cases and as a sequence of it would result in adjournment being sought and thereby preventing any inconvenience being caused to the stakeholders.
7. The counsels representing the parties may be enlightened of the provisions of Order XI and Order XII so as to narrow down the scope of dispute and it would be also onerous responsibility of the bar association and Bar Council to have periodical refresher courses and preferably by virtual mode.
8. The trial courts shall scrupulously, meticulously and without fail comply with the provisions of Rule 1 of Order XVII and once the trial has commenced it shall be proceeded from day to day as contemplated under the proviso to Rule (2).
9. The courts shall give meaningful effect to the provisions for payment of cost for ensuring that no adjournment is sought for procrastination of the litigation and the opposite party is suitably compensated in the event of such adjournment is being granted.
10. At the conclusion of trial, the oral arguments shall be heard immediately and continuously and judgment be pronounced within the period stipulated under Order XX of CPC.
11. The statistics relating to the cases pending in each court beyond 5 years shall be forwarded by every presiding officer to the District Judge once in a month, who shall collate the same and forward it to the review committee constituted by the respective High Courts for enabling it to take further steps.

Copy of the Judgment dated 20th October, 2023 passed in Civil Appeal No. 4296 of 2023 titled, "Yashpal Jain -Vs- Sushila Devi & Others" is enclosed herewith.

By Orders.,

Sd/-

(OJESH MUTUM)
REGISTRAR (JUDICIAL)
HIGH COURT OF MANIPUR

Endt. No. HCM/I-4/76-Estt(vii)/ 21829-38

Copy to:

1. Pr. Secretary to Hon'ble the Chief Justice, High Court of Manipur.
2. P.S. to Hon'ble Mr. Justice A. Bimol Singh, Judge, High Court of Manipur.
3. P.S. to Hon'ble Mr. Justice A. Guneshwar Sharma, Judge, High Court of Manipur.
4. P.S. to Hon'ble Mrs. Justice Golmei Gaiphulshillu Kabui, Judge, High Court of Manipur.
5. P.S. to Registrar General, High Court of Manipur.
6. All the District & Sessions Judges/Presiding Officer, Revenue Tribunal (MACT)/Judges, Family Courts/Judges, Special Courts/Addl. District & Sessions Judges/Member Secretary, MASLSA/ /Registrar (Vigilance), High Court of Manipur.
7. All the CJMs/Civil Judges (Sr. Divn.)/Addl. Member Secretary, MASLSA/Secretary, DLSAs/Jt. Registrar (Judicial), High Court of Manipur.
8. All the JMFCs/Civil Judges (Jr. Divn.)/Deputy Secretary, MASLSA/Deputy Registrar (Judicial), High Court of Manipur/ Administrative Officer, Imphal East.
9. The System Analyst
...for uploading the same on the official website.
10. Guard file.


REGISTRAR (JUDICIAL)
HIGH COURT OF MANIPUR