



From,

Registrar General,  
High Court of Uttarakhand,  
Nainital.

To,

सर्वोच्च  
All the District Judges,  
Principal Judge/Judges, Family Courts,  
State Judiciary,  
Uttarakhand.

C. L. No. 04 5(4)-8/UHC/D.R. (I)/2017 Dated: 27 October, 2017.


**Subject:- Regarding Issue of Adjournments.**

Sir/Madam,

With regard to the subject cited above, It is submitted that in the meeting of Arrears Committee of Hon'ble Supreme Court of India with Hon'ble Chief Justices of all the High Courts, it has been resolved that Issue of adjournments must be taken seriously, as it has serious implications on the expeditious & time-bound disposal of cases.

Hon'ble Court time and again has issued various directions in this regard and has directed that:

1. The inquiry or trial shall be held as expeditiously as possible in accordance with the provisions of Section 309 Cr.P.C.
2. Once examination of the witnesses starts, the Court has to continue the trial from day-today until all the witnesses in attendance have been examined.
3. The inquiry or trial after the commencement can only be postponed or adjourned for special reasons to be recorded in writing as per the provisions of Section 309 Cr.P.C.
4. If a witness is present in the Court, he must be examined on that day. If not, reasons thereof shall be recorded and shall be intimated in writing to the District Judge.
5. If the witness is present in the Court, but the Presiding Officer concerned is on leave, the District & Sessions Judge will withdraw the

  
27-10-17



-2-

case and will transfer the same to other competent court, where, evidence of the witness will be recorded same day.

6. The adjournments should not be granted in a casual manner and frequently to suit the convenience of the Advocate concerned.

7. Provisions of Code of Civil Procedure including the provisions relating to granting of adjournments shall be followed in true letter & spirit.

It is further submitted that in-spite of aforementioned directions, which have been issued time to time by the Hon'ble Court, it has been observed that adjournments are granted very casually and more often on frivolous grounds, which ultimately causes delay in disposal of cases.

In view of aforesaid, I am directed to request you to direct all the Judicial Officers under your administrative control to avoid all unnecessary & frivolous adjournments and to pass a reasoned & speaking order on adjournments. Adjournments sought on frivolous grounds be refused.

You, are therefore, requested to bring the directions of Hon'ble Court to the knowledge of all the Judicial Officers posted in your respective Judgeship, for strict compliance.

*Regd*

Yours faithfully,

*(Signature)*  
(Narendra, Dutt)  
Registrar General

No. 4723 /UHC/D.R. (I)/2017

Dated: 27 October, 2017.

**Copy for information and necessary action to:**

1. Director, Uttarakhand Judicial & Legal Academy, Bhowali.
2. NIC/Guard File.

Deputy Registrar (I)