



From

Registrar General
High Court of Uttarakhand
Nainital.

To

All the District Judges,
State Judiciary,
Uttarakhand

C.L. No. 8 X(d)-1-Misc./DR(I)/2013 dated: July 2nd, 2013

Sub: Mission Mode Drive to reduce pendency in Courts

Madam/Sir,

On the above noted subject, I have been directed by the Hon'ble Chief Justice to convey you the following directions for compliance at your end:

- (1) That the ineffective and infructuous cases, which can be disposed of be identified and such cases be decided in accordance with law:
- (2) That a large number of pending cases pertains to Motor Vehicle Act and many such cases may be of such a nature, where address is incomplete and no document is annexed and the offence is petty one, in which fine of a meagre amount can be imposed. In many cases, accused/vehicle belongs to a far-away place and he will not turn up only to deposit a fine of Rs. 100 or so. Therefore, these cases be scrutinized and summons may be issued in such cases mentioning therein amount of fine imposed and if the report comes that the address is incomplete or wrong and if the Court thinks that presence of accused cannot be procured and the fine which can be imposed is a petty one, such cases may be consigned in accordance with law.

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- (3) That cases under Section 138 Negotiable Instruments Act also contribute a lot in increasing the pendency and it is generally observed that a bunch of cases is filed by a single party with almost identical facts and in course of time, these cases segregated in different courts due to distribution of work. Therefore, it is required that such cases be identified and be transferred in one court and after clubbing, all such cases may be tried together, if possible.
- (4) At the time of annual inspection of subordinate courts by the Hon'ble Administrative Judges, it is generally directed that in all matters where proceedings have been stayed by an order of the Allahabad High Court, prior to the creation of the Uttarakhand High Court in 2000, the Presiding Officer would ask the advocates to file a fresh certified copy or by an affidavit that the said case is still pending before the High Court. In such cases, if no advocate or party appears even after issuance of notice or declines to file a fresh certified copy or affidavit as aforesaid, the Presiding officer should proceed in such cases in accordance with law.

You are therefore requested to kindly bring the above directions to the notice of all concerned for strict compliance.

Yours faithfully,

(Ram Singh)

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No. / X(d)-1-Misc./DR(1)/2013 dated: July 2nd, 2013

Copy forwarded for information to:

1. Director, Uttarakhand Judicial and Legal Academy, Bhowali, Nainital.
2. Judges, Family Courts, Hardwar, Pauri Garhwal, Nainital, U. S. Nagar, Roorkee, Dehradun, Rishikesh.
3. Officer-in-charge, NIC, High Court.
4. Guard File.

02-7-2013
Registrar General