

HIGH COURT OF UTTARAKHAND, AT NAINITAL

NOTIFICATION

Notification No. 99/UHC/Admin.B/2020,

Dated 19.05.2020

Having considered the new guidelines issued by the Government of India, regarding public movement and activities during COVID-19 Pandemic and consequential guidelines issued by the State Government, in supersession of the High Court of Uttarakhand Notification No. 86/UHC/Admin.B/2020 dated 11.04.2020, read with Notifications issued in consequence thereof, Hon'ble the Chief Justice is pleased to order for working in the High Court, with following directions being issued, essential for health precautions in the larger public interest-

1. The business of the High Court of Uttarakhand shall be transacted for following types of cases, fresh or otherwise, till further orders-

- (A) Public Interest Litigations
- (B) Bail Applications
- (C) Criminal Appeals against convictions
- (D) Criminal Revisions against orders confirming convictions
- (E) Writ Petitions Criminal (WPCRL)
- (F) Writ Petitions (*Habeas Corpus*)
- (G) Writ Petitions seeking relief against eviction, ejection, dispossession from property, or its demolition
- (H) Writ Petitions seeking relief against attachment, auction or any other similar legal recourse affecting the property.
- (I) Writ Petitions against orders passed by Courts/Tribunals subordinate to the High Court, or Adjudicatory Bodies, Boards, Commissions, Forums, Authorities *etc.* having jurisdiction over whole of the territory of the State, or any part thereof.
- (J) Writ Petitions against any major penalty passed in departmental proceedings.
- (K) Writ Petitions seeking relief in respect of recruitment, selection, promotion or transfer orders issued during the lockdown period.
- (L) Writ Petitions seeking relief in respect of admission in educational institutions, or for relief in respect of examinations conducted by such institutions.
- (M) Special Appeals, where applicable, against order passed in aforesaid matters.
- (N) Caveat Application.

2. For the present, other matters, fresh or pending, including pending civil matters, shall be taken up with urgency application, in the same manner, matters are taken up during winter vacation of the Court.

3. The filing shall be from 10:00 AM to 1:30 P.M., and fresh matters shall be listed on third day, save in cases, where the Court is closed on the third

day, in which case, the matters shall be listed on the first working day of the Court, falling immediately after such third day.

4. Where Registry is closed a day before the third day, matters shall be listed on first working day of the Court, falling immediately after the third day.
5. Without prior approval of Hon'ble the Chief Justice, not more than 25 matters shall be listed before a Bench for one working day, and for this purpose, all connected/bunched matters shall be counted, as if it is one matter.
6. All Petitions, Applications, Replies, Counter Affidavits, Rejoinders, Documents, Papers *etc.* shall be filed in hard copies, as they are filed in normal days. In addition, soft copies in PDF of such hard copies shall also be provided by e-mail to Institution Section, or Judicial Sections concerned, in their respective e-mail addresses, given in the official website of the High Court.
7. The token number of the filing shall be communicated to advocates/parties by return e-mail to e-mail addresses from which soft copies are received, as above.
8. The hard copies, as received above, shall not be handled by staff other than the staff deputed to receive/handle such copies. The hard copies, shall be kept in safe and earmarked place, and shall be processed on the next working day.
9. Where defects, if any, are pointed out by Registry, they shall be communicated to the advocate concerned, only by e-mail or any other electronic mode of communication, and the matters shall be listed with defects, as they are listed during vacation of the High Court.
10. Without affecting discretion of the Hon'ble Judges to hold Courts from respective Court rooms in actual physical presence of advocates, hearing of cases shall be through Video Conferencing either from chambers in the High Court premises, or from residences of the Hon'ble Judges.
11. In pending matters, where there is request of the Registry to the advocates/parties concerned, they shall, as far as possible, e-mail the scanned copies (by cam scanner or scanning machine) of the relevant papers of the pending matters, like copies of petitions, applications, affidavits, annexure, replies *etc.* held by them in their respective offices, in the PDF format, in chronological order. The scanned copies shall be e-mailed to the concerned Section of the Registry.
12. Entries in the High Court premises shall be strictly regulated and shall only be with gate pass.
13. No person other than the High Court personnel, or personnel of other service provider Departments/Organizations, established in the High Court premises, shall be issued gate pass to enter High Court premises, unless while applying for the gate pass, such person (advocate or advocate's staff or party *etc.*), furnishes a self declaration to the effect that he has been in Nainital/Bhowali/Bhimtal town or any other place situated within radius of

15 K.M. from the High Court, for not less than last 15 continuous days and has not experienced any symptoms of COVID-19 disease.

14. Only such advocates/parties shall be issued gate pass, whose cases are listed for hearing on that day. Gate pass shall also be issued to only such advocate's staff, whose presence is necessary for filing, for obtaining certified copy *etc.*
15. All officers, staff, advocates, parties *etc.* shall cover their face with mask, and shall follow the norms of social distancing and guidelines issued by the Government/Local Authorities, regarding COVID 19 disease, when they enter the High Court premises.
16. Nothing in this Notification shall affect matters already listed for hearing through video conferencing under the High Court Notification No. 86/UHC/Admin.B/2020 dated 11.04.2020.
17. Advocates/parties shall provide hard copies of petitions, applications, replies *etc.*, whose soft copies have been filed under the aforesaid Notification, within three working days from date of this Notification.
18. Matters, pending or otherwise, which have already been considered for urgent hearing through video conferencing in accordance with the aforesaid Notification and remain to be listed, shall be listed only after hard copies of the Petitions, Applications *etc.* are filed by the advocates/parties.

By orders of Hon'ble the Chief Justice

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(Hira Singh Bonal)
Registrar General

No. 2078/UHC/Admin.B/2020,

Dated 19.05.2020

Copy to Followings for information and needful-

1. P.P.S. to Hon'ble the Chief Justice for placing copy of this Notification before His Lordship.
2. P.S./P.A. to the Hon'ble Judges, for placing copy of the Notification before Their Lordships.
3. Advocate General, Uttarakhand.
4. Chief Standing Counsel/Government Advocate, Uttarakhand.
5. Assistant Solicitor General, Government of India, Nainital.
6. Additional Chief Standing Counsel for State of Uttar Pradesh at Nainital.
7. President/Secretary, High Court Bar Association, Nainital with request to inform all the members of the Bar.
8. Secretary Law, Government of Uttarakhand, Dehradun.
9. Member-Secretary, UKSLSA, Nainital.
10. All the Registrars/JRs/DRs/ARs of the High Court.
11. All the Sections of the High Court.
12. Protocol Officer/Public Relation Officer/Management Officer of the High Court.
13. Director, Printing and Stationery, Roorkee with request to publish this Notification in the next issues of the Gazette.
14. Officer I/c, NIC, High Court of Uttarakhand, Nainital with request to publish the Notification in official website of the High Court.
15. Guard file/Notice Board.

Registrar (Judicial)