

HIGH COURT OF UTTARAKHAND AT NAINITAL

OFFICE-MEMORANDUM

No. 62/UHC/Institution Section/2021

Dated 31.08.2021

SUB: FILING AND LISTING OF DEFECTIVE MATTERS.

On the subject above, the kind attention of all the members of the Bar is invited to Part VII of the High Court of Uttarakhand Rules, 2020, which deals with the defects reported by the Registry, and listing of the defective matters.

2. The rule 46 and rule 47 of the aforesaid Rules provide that no defective matter shall be listed before the Hon'ble Court, except in following two conditions:-

- (A) Where defect is of such a nature that the order of the Court is necessary for the defect.
- (B) Where on being mentioned, Court orders that the matter be listed as defective.

3. The learned advocates would agree that the reporting of defects, communication thereof to the Bar through the authorized mode of communication, listing of such matters before the Registrar (Judicial) and removal thereof *etc.* consume their valuable time, as well as of the litigants and the Court Staff. Further, as per the aforesaid provision, even if the learned counsels request for listing of the matters as defective, unless the aforesaid two conditions apply, the matters can not be so listed before the Hon'ble Court.

4. In view of the above, I am directed to request all the learned advocates that if before the case filing, they may ensure

that the documents/papers concerned have been carefully checked that the documents/papers confirm to the law, rule, orders or instructions applicable to case filing, same would serve the interest of the litigants.

By Orders of Hon'ble the Chief Justice

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Registrar (Judicial)

No. 4224/UHC/Institution Section/2021, Dated 31.08.2021

1. P.P.S. to Hon'ble the Chief Justice for placing copy of this Office Memorandum before His Lordship.
2. Private Secretaries to the Hon'ble Judges, for placing copy of the Office Memorandum before Their Lordships.
3. Private Secretary to the Advocate General, Uttarakhand.
4. Chief Standing Counsel/Government Advocate, Uttarakhand.
5. Assistant Solicitor General for Government of India at 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. Private Secretary to the Registrar General.
9. All the Registrars/JRs/DRs/ARs of the Hon'ble Court.
10. All the Sections of the Hon'ble Court.
11. Computer Section with request to upload a copy of this Office Memorandum in the official website of the Hon'ble Court.
12. Guard file/Notice Board.

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Deputy Registrar (Judicial)