

FREQUENTLY ASKED QUESTION FOR ADVOCATES/LITIGANTS

Q.1. When will the applications for urgent hearings be listed before the Hon'ble Court?

Ans. At present, urgent hearing applications are being filed in large number. Therefore, all such applications cannot be listed at the same time before the Hon'ble Court. These applications will be listed before the Hon'ble Court in suitable numbers each day, as per their seniority. Listing of such cases will be done as early as possible. However, in most urgent case, parties may mention the application before the Hon'ble Court.

Q.2. When and how will the “Not Reached/Not taken up” cases be listed?

Ans. Except bail matters, “not reached/not taken up” cases pertaining to fresh category (*admission matters*) will be listed in the following week. The bail matters will however be listed after one day. Not reached/not taken up (after notice) matters will be listed after six weeks from the date of listing. In case of urgency, it will be open to the parties to mention the matter before the Hon'ble Court for urgent listing or preponing the date generated by the Computer as per the above logic.

Q.3. How bail application of different accused persons in same crime number of a Police Station will be listed before Hon'ble Court under the new scheme?

Ans. Bail applications filed by different accused persons in the same crime number registered at the same Police Station will be listed before the same Hon'ble Judge, who heard the first bail application in that crime number, subject to availability of the Hon'ble Judge.

Q.4. Why Review Petitions tied up to a particular Hon'ble Judge are being listed before another Bench.

Ans. Ordinarily, Review Petition are tied up to the Bench who had decided the main case. But due to incorrect updation or human error the Review may get listed before another Bench. In such a case the parties may immediately invite attention of the Registrar(J-I) for taking corrective steps before the date of hearing.

Q.5. What will be the time lines to list “After Notice Matters”?

Ans. “After Notice matters” of Pre Admission Stage will be listed on the assigned returnable date given by the Court. After notice matters, which are once listed and could not be reached, will be listed after six weeks progressively.

Q.6. Which cases will be listed under the head “Top of the List”?

Ans. Under the head “Top of the List” those cases are listed, which the Hon’ble Court has directed to be listed under this caption, being the urgent matters which need to be given precedence over all other matters.

Q.7. Which cases are listed under the head “Settlement” ?

Ans. Under “Settlement” head, those cases are listed in which parties have filed compromise applications or ordered by the Court to be so listed, which do not require any elaborate arguments.

Q.8. Which cases will be listed under the head “Personal Appearance” ?

Ans. Under the head “Personal Appearance”, those cases are listed in which parties have been directed to appear before the Hon’ble Court.

Q.9. Which cases will be listed under the head “Orders”?

Ans. Under caption ‘Orders,’ incomplete matter and interlocutory application in admitted matters shall be listed. Applications in cases which are admitted but not ready for final hearing will also be listed under this caption.

Q.10. Which cases will be listed under the head “Fresh for Admission”?

Ans. Under head “Fresh for Admission”, freshly filed and adjourned cases in which Court notice is yet to be issued will be listed.

Q.11. Which cases will be listed under the head “After Notice Matters”? Why listing of these cases is taking time ?

Ans. Under head “After Notice Matters”, the cases in which Court notice has been issued but the case is not admitted are listed. After notice matters are ordinarily listed on the Court given returnable date. In the absence of any specific order in that behalf, the after notice matters are listed chronologically progressively because of hearing docket of fresh cases.

Q.12. Which cases are listed under the head “Final Disposal at Admission Stage” and whether there is any departure from the previous system/rules?

Ans. In “**Final Disposal at Admission Stage**” category those cases in which the Hon’ble Court has observed that the matter is capable of being disposed off within a short time at admission stage are listed in the Motion Hearing list under this caption. Erstwhile the cases where Hon’ble Courts were of the view that admitting the case will prolong the disposal of the case as they will be listed after number of years as per their turn because of the huge pendency of Final Hearing matters, practice was not to admit such case but issue notice and after respondent appeared, the cases were heard and finally disposed off. That concept is not done away with rather given a

place in the scheme also. Such cases will be listed for Motion Hearing list of cases, after it becomes due for hearing.

Q.13. How can the court fees be calculated in a matter?

Ans. Go to Supreme Court website www.sci.gov -> Select 'Court Fees Calculator' in navigation list-> Select 'Case Type' , Category and sub category to calculate fees.

Q.14. How to calculate Limitation in a matter?

Ans. Go to Supreme Court website www.sci.gov -> Select 'Limitation Calculator' in navigation list-> Select 'Case Type' , Category and sub category to check Limitation days.

Q.15. How to file IA in disposed off matter?

Ans. As per order no. F.No.171/Judl./2017 dt. 01-June-2017 , any application filed in disposed matter will be registered and listed as a Miscellaneous Application(MA). Kindly refer order no. F.No.171/Judl./2017 dt. 01-June-2017 on Supreme Court website www.sci.gov -> Notices & Circulars

Q.16. What information is required in a Vakalatnama filed by an advocate in a case?

Ans. Advocates have to mention their registration number provided by the Bar Council of their respective states, mobile number and email id on vakalatnama along with AOR number in cases filed by them.

Q.17. What information is required in an Authority letter if an advocate is engaged by the AOR to file a case?

Ans. Authority letter is required, if other advocates are engaged by the AOR, registration number provided by the Bar Council of their respective states, mobile number and email id on vakalatnama should be mentioned in the letter.

Q.18. How details of respective cases of AOR can be updated and checked online by AOR in their respective login ID ?

Ans. Advocates will have to provide the list of their pending cases at the facilitation counter with their registration number provided by the Bar Council of their respective states, mobile number and email id along with the AOR number, so that all cases can be updated and made available to the AOR on their respective login id's.

Q.19. How AOR can get Login ID?

Ans. The Advocates-on-record (AOR) will have to register on the official website of the Supreme Court to create their login id.

Q.20 How can a case be diarized?

Ans. Only after the basic office objections and objections relating to deficit court fees are removed at the time of filing, will a Diary Number be generated in a matter.

Q.21. How can a Scanned Document be provided for a e-filed Case?

Ans. The scanned document can either be provided in a pen drive or through e-filing in the format specified.

Q.22. How would the AOR's be informed about the defects and about the other information relating to cause list , certified copies etc.?

Ans. SMS/E-mails will be sent to the registered mobile no./email addresses of the Advocates(AOR's) intimating them the office objection in defective matters, listing of the cases and readiness of certified copies.

Q.23. How will the *e-Cause* list be made available to advocate/litigant?

Ans. e-Cause list will be sent on the e-mail addresses of the advocates/litigants, if made available at the time of filing.

Q.24. If petitioner(s) is/are in jail, how Vakalatnama/ Proof of Surrender will be filed?

Ans. Vakalatnama duly attested by the Jail Authority/Proof of Surrender along with separate certificate of the Jail Authority has to be filed, if the petitioner(s) is/are in jail, as per Supreme Court Rules, 2013.

Q.25. What should be the format of SLP(C) to be filed?

Ans. SLP (Civil) shall be filed in Form No. 28 with Certificate as per Notification dated 17.06.1997.

Q.26. How to prepare a petition to avoid unnecessary defects and timely listing of the matter?

Ans. The petition should be prepared as per the check list available on the Court official website, so that the matter does not unnecessarily remain defective to ensure timely listing.

Q.27. What details are required in respect of the Advocate of the Respondents?

Ans. Name, Address, Bar Council Enrollment Number, Mobile Number and Email id of the Advocate of the Respondents are required to be got updated on the website of the Supreme Court of India.

Q.28. With the advent of the new programme (ICMIS) will there be any change in the process in vogue as per the Supreme Court Rules, 2013 ?

Ans. No, the provision of the SCR will continue to govern the filing and listing of Cases. There is no change in the procedure already established under the 2013 Rules.

Q.29. Will the practices and procedures in vogue , continue in the new software ?

Ans. Yes, the handbook on practices and procedures and office procedure has been updated in consonance with the latest circular/instructions and as per the requirements of the new software. It is also being uploaded on the Court's Official website.

Q.30. When will the defective matters be listed before the Hon'ble Chamber Judge ?

Ans. If defects are not cured within 90 days and no application for condonation of delay in removing defects is preferred, immediately thereupon the matter shall be placed before the Hon'ble Judge in Chamber.

Q.31. Will there be any change in the filing and refilling procedure?

Ans. No, Rather in addition, the AOR's and petitioner-in-person shall be provided with the facility of **e-filing** also.

Q.32. Will the defects be notified to the AOR's electronically?

Ans. YES, SMS and e-mail alerts will be sent to the AOR's notifying the defects in the case.

Q.33. Can the AOR's and other stake holders have access to scanned documents of the File?

Ans. YES, the AOR's and other stake holders including the instrumentalities of the State will be provided access to the copy of the scanned documents online on their respective login-id's in respect of their case after due registration subject to the approval from the competent authority.