

			(3) father or (4) true grandfather. or (5) full brother.	
12. Consanguine sister	1/2	2/3	When no (1) child (2) child of son h.l.s., (3) father or (4) true grandfather. (5) full brother, (6) full sister, or (7) consanguine brother.	but if there is only one full sister and she succeeds as a sharer, the consanguine sister (whether one or more) will take 1/6 provided she is not otherwise excluded from inheritance. [with consanguine brother she becomes a residuary.

In Islamic Law, woman gets her right from her parents as well as from her husband and also from her children, as discussed above. Thus, this elaborate system of inheritance has been able to stand to the test of time and remained to this day in its original form.

RESTORATION OF COURT HOLIDAYS

By

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The High Court of Andhra Pradesh has been pleased to notify reducing the holidays for Summer, Sankranti and Dasara with effect from 1st January, 2007. In addition the Saturdays are made working days save second Saturday. Also the working hours are extended from 10.00 a.m. to 6.00 p.m. These changes are obviously made to help speedy disposal of cases and reduce the pendency in Mofussil Courts.

While the object is laudable, but these measures will certainly cause considerable trouble and inconvenience to the members of the legal profession. About twenty-five years back, the High Court has dispensed with Saturday as holiday and made it a working day. There was resentment over the move from the advocates. A State Level

meeting was held by the lawyers and the matter was represented to the then Chief Justice. His Lordship was pleased to appreciate the grievance and made Saturday as holiday only to the extent of Court work and made it working day for all other purposes.

It is submitted with great respect that the profession of law is a demanding job. The advocate has to spend a great deal of time in the study of records, prepare the brief and present it to Court. In Mofussil Court, where grass root justice is delivered, the lawyer has to deal with the parties and witnesses and take instructions in the preparation of the brief. It is an onerous job requiring a lot of time and brainwork. In addition he has to study the legal aspects and the rulings of

the High Courts and the Apex Court. If the lawyer were to work for long hours in daytime in Courts he will hardly find time to attend to this part of the work. He can hardly do justice to his client or to the Court. This applies to judicial officer as well. The Judge has to spend sufficient time to study the case, the legal aspects for arriving at correct conclusions.

The reduction of holidays and increasing workload may help quantitative disposal of cases, but not the quality. It is often said the justice delayed is justice denied. At the same time it is equally said that justice hurried is justice buried. The solution to this problem cannot be achieved by breaking the endurance of the Advocates and Judges who are humans and not machines.

Apart from the professional demands the advocate has to attend to personal and household work. Though he is euphemistically called as officer of the Court, he does not enjoy any earned leave or other benefits of judicial officers. As a human being he needs rest and periodical holiday and relaxation if he has to serve the goddess of justice with efficiency and commitment.

It is true that there is a heavy workload in Courts. The judicial officers and the lawyers are relentlessly working to reduce pendency. At the same time the Government and the High Court should address to the problem in a pragmatic way. The Chief Justice of India has recently observed that the Courts in India are working under heavy strain unlike their counterparts in other countries. The justice delivery system should have work

culture under which all those who are part of it should discharge their duties with proper attitude and job satisfaction without subjecting to health problems, which are on increase thanks to the modern style of living.

I appeal to the High Court to address to the problem of pendency with proper perception and deal with the issue interacting with Bar Council and representatives of the Bar. In this connection it is pertinent to note that many cases in civil Courts could be disposed of at the earliest if the Bench exercises its mind after written statement is filed and issues are framed. If such an exercise is made the weakness and strength of the defence can be appreciated and the suit could be disposed of at threshold level without adding to the list of cases pending. Similarly the final decree petitions and other miscellaneous petitions can be disposed of at the earliest point of time.

Above all there is increase in commercial and other activity in society. The conventional litigation is giving place to new fields increasing the workload in Courts. The remedy lies in constituting more Courts, recruiting more Judges and allotting suitable funds for Judiciary. Unfortunately the Government is not responsive in this regard. It serves no purpose in whipping an overloaded horse and expect the Judiciary to do miracles with a wand. It is therefore requested that the High Court and Government should interact and find solutions for creating an efficient justice delivery system and till then retain the present dispensation of holidays and working hours.