

HIGH COURT OF MADHYA PRADESH: JABALPUR

// CIRCULAR //

No. A/3121 /

Jabalpur dated 11/12/2020

In continuation of earlier circular(s)/direction(s) issued by the High Court from time to time, Hon'ble the Acting Chief Justice of the High Court of M.P. having taken into consideration all the prevailing factors, has been pleased to issue directions regarding functioning of the High Court as follows:-

1. In continuation of Circular No.A/2873 dated 03.12.2020, the limited virtual functioning for the High Court is hereby extended from 14th December, 2020 till 8th January, 2021, as per Circular No. D/2377 dated 27.06.2020, Circular No.Q-12 dated 4th May 2020, Circular No. B/2655 dated 24.07.2020 and other relevant guidelines/directions issued by the High Court.
2. As per resolution by the Special Committee, on experimental basis, for physical hearing of Writ Appeals, Writ Petitions, Criminal Appeals, Civil Appeals (10 years and above) on 17th December, 2020 and 7th January 2021 in the High Court of M.P., after obtaining written consent from the parties or their Advocates, in the prescribed format, on or before 14.12.2020 and 04.01.2021 respectively, for listing the cases before appropriate Bench, as per SOP dated 20.11.2020 (attached herewith).

By order of Hon'ble the Acting Chief Justice


(RAJENDRA KUMAR VANI)
REGISTRAR GENERAL

HIGH COURT OF MADHYA PRADESH, JABALPUR

// STANDARD OPERATING PROCEDURE (S.O.P.) //
(For Limited Physical Final Hearing of the Cases)

Dated 20/11/2020

In the wake of prevailing Corona Virus (COVID-19) situation in the State of Madhya Pradesh, Hon'ble the Acting Chief Justice, High Court of Madhya Pradesh, on consideration of the recommendations of the Hon'ble Committee of this High Court and the requests received from the Bar Associations, has been pleased to issue following Standard Operating Procedure (S.O.P.) with regard to the modalities of the functioning of the High Court for limited physical final hearing of the cases. This S.O.P. will be in addition to Video Conferencing & E-filing Guidelines published on 16.04.2020 and other circulars issued in this regard from time to time :

1. On experimental basis, limited physical final hearing of the cases will be conducted only on Thursdays **at Principal Seat Jabalpur and Benches at Indore and Gwalior**. The first physical final hearing will be conducted on 03.12.2020 (Thursday). Thereafter, the matter will be reviewed and further directions will be issued accordingly.
2. Only final hearing of Writ Appeals, Writ Petitions, Criminal Appeals and Civil Appeals will be conducted physically. Preference will be given to those Criminal Appeals, in which appellants / accused persons are in jail. In this regard, specific Court Rooms shall be notified separately, as per the requirement.
3. The cause list will specify the matters to be heard through physical hearing mode. Ordinarily, the cause-list for each court, conducting physical final hearing, will not exceed more than 10 cases per court, per day. The cases will be listed in chronological order from oldest to newer.



4. For the purpose of final hearing, parties or their advocates will be required to submit an application in the prescribed format, (enclosed with this SOP). Copy of the application shall be served by the parties or their advocates to all concerned / contesting parties or their advocates, in advance.
5. The written consent of all the concerned / contesting parties or their advocates are necessary for physical final hearing of the cases. In absence of consent of any party or their advocate, the case shall not be listed for final hearing.
6. Applications in the prescribed format, may be filed either through e-filing software or by physical mode through the office of concerned High Court Bar Associations.
7. For submitting such applications through e-filing, a tab namely '**Special Tab For Limited Physical Final Hearing**' has been provided in the e-filing software. Applications for final hearing will be submitted only through this special tab. Such applications, if submitted through regular e-filing mode will not be entertained.
8. Office of concerned High Court Bar Associations shall prepare a separate list of the applications, filed by physical mode, and submit the same to the Presentation Center on a day to day basis, so that the Registry may process the matters at the earliest.
9. The applications may be submitted either through e-filing mode or physical mode from 10:00 AM of 23-11-2020 (Monday) to 05:00 PM of 27-11-2020 (Friday).
10. If the case is to be argued by a Senior Advocate then his/her name and mobile number shall also be mentioned in the application. Only one Senior Advocate and/or one Advocate and one Registered Clerk, per



party, shall enter in the High Court premises. Advocates are advised to take minimum assistance of Registered Clerks.

11. There shall be a common entry for the Advocates/Petitioner-in-Persons/Registered Clerks, from specified gates, after thermal screening for detecting body temperature and other screening, if required, for determining infection status, etc.
12. A system generated Message will be sent to registered Mobile number of the concerned Senior Advocates/Advocates (appearing for both sides), /Petitioner-in-Persons/Registered Clerks, whose names and mobile number are mentioned in the application. The system generated message, received in the mobile handsets will be treated as e-pass, which will have to be shown at the time of entry into High Court premises. The e-pass / Message will remain valid for a particular day and the entry will be strictly upon presentation of the e-pass.
13. On entering the Court premises, Advocates/Petitioner-in-Person shall proceed to the waiting area, specified for this purpose, only through the specified corridors and wait for their turn to enter the specified Court Rooms, where physical hearing of their case is scheduled. Display boards shall be functional for the convenience of all concerned.
14. Specified entry and exit gates / corridors / waiting area and Court rooms will be notified separately for Principal Seat Jabalpur and Benches at Indore and Gwalior.
15. Entry will be permitted only to -
 - the Advocates/Petitioner-in-Person, whose names are reflected in the cause list for physical hearing, and registered clerk, only for delivering case files of such Advocates at the waiting area. Clerks shall leave the waiting area after delivering the case files and shall enter again only to recollect the same.



- the Senior Advocates, as may be engaged by the party.
 - Government Advocate and/or Standing counsel of the concerned authority/department.
 - Petitioner-in-person.
16. No litigant would be permitted to enter in the High Court Premises unless there is a specific direction by the Hon'ble Court. In case the presence of a litigant is directed by the Hon'ble Court, then such litigant shall produce copy of the order directing his/her presence along with an ID proof at the entry gate of the High Court.
 17. Entry of unauthorized persons in the High Court premises is prohibited. Gathering, even in small groups, is also prohibited. Bar Associations shall render due assistance in this regard.
 18. Office of the Advocate General shall also assist in smooth functioning of physical hearing by deputing only the required number of Government Advocates/Panel Lawyers in the specified Courts.
 19. Keeping in view the norms of social distancing, entry of Advocates in Court Rooms shall be permitted as per the availability of space in the Court Rooms.
 20. If any Advocate/Petitioner in Person, even after giving consent, is not willing for physical hearing, then the hearing may be conducted as per the directions of the Hon'ble Court.
 21. Advocates/Petitioner-in-Person appearing physically in more than one case, may wait in the waiting area for hearing of the next case(s).
 22. After completion of hearing of the matter, Advocates/Petitioner in person/Registered Clerks shall leave through specified corridors and exit the High Court premises from the specified gates only.



23. No person shall approach Presentation Center, Copying Section and/or other sections or offices of the High Court.
24. All the stakeholders shall use sanitization devices for sanitizing their hands and also the papers and other items/articles, that they may be carrying into the Court Rooms with them.
25. Entry of Vehicles shall not be permitted inside the High Court Premises.
26. Adherence to all the Guidelines / Instructions, such as undergoing thermal scanning, maintaining social distancing, wearing of mask, proper sanitization etc., issued time to time by the Central Government / State Government and High Court of M.P., regarding prevention from Corona Virus (COVID-19), will be strictly followed by all concerned.

BY ORDER OF HON'BLE
THE ACTING CHIEF JUSTICE



(RAJENDRA KUMAR VANI)
REGISTRAR GENERAL

IN THE HIGH COURT OF MADHYA PRADESH
PRINCIPAL SEAT AT JABALPUR / BENCH AT INDORE / BENCH AT GWALIOR

Case No: _____ / _____

Petitioner/Appellant :

.....

Vs.

Respondents:

.....

Application for submitting consent of all the parties / their counsel for Final Hearing of the case during the period of Covid-19

In the light of Standard Operating Procedure (SOP) dated ___/11/2020 for limited physical final hearing, the undersigned declares and submits as under:

1. As per Court order dated ___/___/_____ the matter falls under Final Hearing stage.
2. Reasons for urgency for final hearing of the matter during the period of Covid-19 :

3. Undersigned has obtained written consent / no objection from all the parties / their counsel appearing on behalf of them for final hearing of the matter during the period of Covid-19, which is enclosed with this application.
4. Undersigned undertakes that he has supplied advance copy of this application to the counsel for the respondent(s) / petitioner(s)

PRAYER

The matter may kindly be listed for Final Hearing on the basis of written consent given by all the parties in this regard.

**Appearing Counsel for the
 Petitioners /Respondents**

Mob. No.....

Name of Senior Counsel (if any)

.....

Mob. No.....

Name of Clerk of Advocate (if any)

.....

Mob. No.....

Signatures for consent.

1. _____ (Counsel for respondent no.1) Mob. No..... Name of the Senior Counsel Mobile No..... Name of the Clerk of Advocate Mobile No.....	2. _____ (Counsel for respondent no.2) Mob. No..... Name of the Senior Counsel Mobile No..... Name of the Clerk of Advocate Mobile No.....	3. _____ (Counsel for respondent no.3) Mob. No..... Name of the Senior Counsel Mobile No..... Name of the Clerk of Advocate Mobile No.....
--	--	--