

**HIGH COURT OF JAMMU AND KASHMIR**  
(Office of the Registrar General at Srinagar)

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**Subject: Implementation of Rule 15 of J&K High Court Rules, 1999.**

**CIRCULAR**

No: 77

Dated: 28/05/2018

It is impressed upon the Registrar Judicial of Jammu Wing and Registrar Judicial of Srinagar Wing of the High Court to exercise the jurisdiction vested upon them under Rule 15 of the Jammu and Kashmir High Court Rules, 1999, particularly that contained in the following matters:-

**(a) Civil:-**

- (i) To receive plaint, petition, appeal or any other application, issue notice or fix date for the filing of the written statement or objections, Counter etc. in a proceeding under the original or extraordinary jurisdiction of the Court or as may be directed by the Court;
- (ii) Applications to amend the plaint, petition or subsequent proceedings where the amendment sought is formal. Where the plaint, petition or subsequent proceedings have not been placed before the court the Registrar may entertain and dispose of application for all types of amendments;
- (iii) Applications for the admission or appointment of a next friend or guardian ad-litem of a minor or a person of unsound minor next friends or guardians ad-litem;
- (iv) Applications for fresh summons or notice and for short date summons and notice;
- (v) Applications for orders regarding issue of summons or notices and regarding service thereof;
- (vi) Applications for orders for substituted service or summons or notice;
- (vii) Applications for permission to withdraw any suit, petition or an application except public interest litigation;
- (viii) Application for leave to file further or additional written statements, objections, counter etc.;

- (ix) Application for return of documents under O.XIII Rule 9(i) of the Code; and applications for return of exhibits;
- (x) Applications falling under section 152 of the Code;
- (xi) Applications for special direction to the officer concerned so as to the service or execution of any process of the Court;
- (xii) Applications for extension of time under O.XXVII Rule 7 of the Code or by a party in default for further time to file written statement or affidavit or documents;
- (xiii) Applications under order XXII of the Code for bringing on record the legal representatives of a deceased party:  
Provided that no order of substitution or reviver shall be made by Registrar:-
  - (i) where a question arises as to whether any person is or is not a legal representative of the deceased party; or
  - (ii) whether a question of setting aside the abetment of the cause is involved in such case the Registrar shall after making an enquiry place the matter with his report and the findings before the appropriate Bench of the Court;
- (xiv) Applications for enlargement or abridgment of time except where time is fixed by the Court;
- (xv) Applications for particulars;
- (xvi) Any matter which in accordance with orders or directions issued by the Court is required to be dealt with by the Registrar.

**(b) Criminal:-**

- (i) To issue notice to parties in criminal reference.

**(c) Appellate:-**

- (i) To dispose of all matters relating to the service of notices, or other processes, including substituted service, except the powers to dispense with service on proforma respondents;
- (ii) To appoint or discharge a next friend or guardian ad-litem of a minor or person of unsound mind except in case under appeal to the Supreme Court and to amend the record accordingly;
- (iii) To receive and dispose of an application under Order XXII Rules 2,3 and 10 of the Code of Civil Procedure, and to

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*amend the record, if necessary, except in cases under appeal to the Supreme Court;*

- (iv) *To require any person or party to file an affidavit with respect to any application or matter in respect of which he has power to exercise any discretion or to make any order;*
- (v) *To call for a further deposit when the deposit already made by the appellant in an appeal to the Supreme court is not sufficient to defray the cost of preparing the record;*
- (vi) *To grant time for making up deficiency in court fees in cases referred to him as Taxing Officer under section 5 of the Court Fees Act. No application for extension of the time will be refused without the orders of the Court: Provided that the Registrar may refer any matter under this rule to the Court for orders.*

The Registrar Judicials of both the wings of the High Court shall deal with these proceedings without listing the same before the Hon'ble Court except upon directions from the Hon'ble Court in this regard.

**By order.**

  
(Sanjay Dhar)  
Registrar General

No: 7406-31/R-9

Dated: 28/05/2018

**Copy of the above forwarded to:**

1. Principal Secretary to Hon'ble the Chief Justice, High Court of J&K, Jammu.
2. Secretary to Hon'ble Mr. Justice \_\_\_\_\_  
..... for information of their Lordships.
3. Registrar Vigilance, High Court of J&K, Jammu.
4. Registrar Judicial, High Court of J&K, Srinagar/Jammu.
5. Bench Secretary to Hon'ble Mr. Justice \_\_\_\_\_ with the request to fix the dates relating to the proceedings mentioned in the circular before the Registrar Judicial concerned.
6. In-charge NIC for uploading the same on the official website of High Court of J&K.

  
Registrar General