

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

**Subject: Action Plan for the year 2021-22 for District and Subordinate Courts in
UTs of Jammu & Kashmir and Ladakh.**

CIRCULAR

No:27/GS

Dated: 23.12.2020

Hon'ble the Chief Justice (Acting) has been pleased to approve the following Action Plan for District and Subordinate Courts in UTs of Jammu & Kashmir and Ladakh for the year 2021-22:

| The Principal District & Sessions Judges shall ensure the disposal of old cases in their Districts/Sessions Divisions as per the following plan: | | |
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| S. No. | Courts | Targets proposed for disposal of old cases in next one year w.e.f. 01.04.2021 to 31.03.2022. |
| 1. | District and Sessions Judges and Additional Districts & Sessions Judges | (i) 25 oldest Executive Petitions. (ii) Decide and dispose of by 30 th September, 2021, all civil original suits and other civil matters which have been filed on or before 31.03.2014. (iii) Decide and dispose of all civil miscellaneous appeals which are more than 1 Year old. (iv) Decide and dispose of by or before 30 th September, 2021, all regular appeals which are more than 7 Years old. (v) Decide and dispose of by or before 30 th September, 2021, all cases of under trials where the accused are in custody for more than 5 years (vi) Decide and dispose of all criminal revisions which are more than 1 year old. (vii) Decide and dispose of all criminal challans (irrespective of involvement of under trials) where charge sheet has been filed on or before 31.03.2014. (viii) Decide and dispose of by or before 30 th November, 2021 all criminal appeals which are more than 3 years old |
| 2. | Special courts set up under Prevention of Corruption Act | Decide and dispose of ten oldest cases, in addition to normal standards. |
| 3 | Special courts set up under Prevention of Corruption Act for CBI cases | Decide and dispose of ten oldest cases, in addition to normal standards. |
| 4. | Special Courts set up for crime against women. | i. Decide and dispose of by 31 st October, 2021, all cases where the accused are in custody for more than 2 years. ii. Decide and dispose of all cases instituted upto 31.12.2018. |
| 5 | Special Courts set up under POCSO Act | i. Decide and dispose of by 30 th June, 2021, all cases which are more than 1 year old and the accused are in custody. ii. This is in addition to normal standards. |
| 6 | Special Courts set up under NIA Act | i. 10 oldest cases. ii. This is in addition to normal standards |

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| 7 | Motor Accidents Claims Tribunal | i. Decide and dispose of all death cases instituted upto 31.03.2019 and injury cases instituted upto 31.03.2018. ii. This is in addition to normal standards. |
| 8. | Commercial Courts (Exclusive) | i. Decide and dispose of 100 oldest cases. ii. This is in addition to the normal standards. |
| 9. | Exclusive courts set up for Matrimonial Disputes | i. Decide and dispose of 30 oldest cases upto 31.09.2021 and 60 such cases upto 31.03.2022. ii. This is in addition to the normal standards. |
| The Civil Judges-cum-Judicial Magistrates shall ensure the disposal of old cases as per the following plan: | | |
| 10. | Civil Judge-cum-Judicial Magistrates | i. Decide and dispose of by or before 31 st September, 2021, all cases of under trials where the accused are in custody for more than 1 year. ii. Decide and dispose of all pending criminal challans wherein charge sheet has been filed on or before 31.03.2017. iii. Decide and dispose of 50 oldest execution petitions. iv. Decide and dispose of all civil original suits or other civil matters which have been filed on or before 31.03.2016. |
| 11. | Juvenile Justice Boards having more than hundred cases. | Decide and dispose of 50 oldest enquiries, this is in addition to normal standards. |
| 12. | Juvenile Justice Boards where the Principal Magistrate is also dealing with other civil and Criminal Cases. | Decide and dispose of all the enquires which are more than one year old from the date of filing of report, this is in addition to the normal standards. |

Note:

1. All cases/applications where interim stay orders have been passed to be decided within one month of the passing of interim order.
2. The bail applications to be decided within a week in terms of Hon'ble Supreme Court order in Hussain and another vs. Union of India.

Guidelines:

1. Endeavour shall be made to dispose of old cases during current year upto 31st March, 2021. However, because of the prevailing conditions due to Covid-19 pandemic, the monitoring to strictly follow the aforesaid action plan will be made from 1st April, 2021.
2. Pendency of target cases, as mentioned above, be taken as on 31st March, 2021 and the cases disposed of since that day falling in the target cases be included in the disposal list.
3. Cases, in which proceedings have been stayed, are not to be included in the list. In case the stay is vacated during the currency of the Action Plan then the same be included in the list of Action Plan cases.
4. The District & Sessions Judges shall, in consultation with Hon'ble Administrative Judge, distribute and allocate the cases targeted under Action Plan 2021-22 equally amongst the Judicial Officers to ensure that the oldest cases in the Sessions Division are properly targeted and they shall manage the work by using their administrative skills.
5. The District & Sessions Judge shall ensure uploading of the Court wise list of cases identified under Action Plan 2021-22 alongwith stage of the case on the web-site of

the Sessions Court within one week from the date of receipt of the communication and also updating of the status of such cases on monthly basis latest by 10th of every month. The District and Sessions Judge shall ensure that the list of Action Plan cases is not changed except under his orders.

6. In case any Officer proceeds on long leave or resigns or is transferred during the period from 1st April, 2021 to 31st March, 2022 and no substitute is provided in place of such Officer or in the event of amalgamation or withdrawal of a Court, the District & Sessions Judge shall transfer the pending Action Plan cases in such Court equally amongst all other judicial officers and exclude the rest of the pending targeted cases of the said Officer and the lists of Action Plan cases of such transferee Court(s) shall be modified in proportion accordingly.
7. In case an additional Judicial Officer joins during the currency of Action Plan, then the District & Sessions Judge shall fix the proportionate target under Action Plan for the said Officer in consultation with the Hon'ble Administrative Judge from other oldest cases out of the remaining cases not included in the Action Plan 2021-22 earlier and the target for the Sessions Division be also modified accordingly.
8. The Court shall ensure that reasonable opportunity is given to the parties before passing any adverse order of closing of evidence etc.
9. The District & Sessions Judge shall submit the Court wise figures of disposal of targeted cases selected under Action Plan 2021-22 in the following format to the High Court on monthly basis on or before 10th of every month for placing the same before Hon'ble Administrative Judge of the concerned district.

Statement showing disposal of target cases under Action Plan 2021-22 in the Court
of _____ for the Month of _____.

Name of the Officer with Designation: _____.

| Nature of cases target (category wise) | Number of cases identified as on | Cases Included | Cases Excluded | Disposal upto the end of the month | Balance at the end of the month | Percentage of disposal upto the end of the month. |
|--|----------------------------------|----------------|----------------|------------------------------------|---------------------------------|---|
| | | | | | | |

10. The disposal of Action Plan cases be taken into consideration at the time of recording of Annual Confidential Report of the Judicial Officers. The District and Sessions Judges shall also consider the disposal of Action Plan cases while writing his remarks on self appraisal reports of the Judicial Officers.
11. Under extreme circumstances, the targets identified under Action Plan 2021-22 may be modified/excluded by District & Sessions Judge in consultation with Hon'ble Administrative Judge of the concerned district.

By Order.


(Jawad Ahmed)

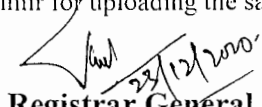
Registrar General

No: 22439-78/GS

Dated: 23.12.2020

Copy of the above forwarded to:

1. Principal Secretary to Hon'ble the Chief Justice, High Court of J&K,
2. Secretary to Hon'ble Mr. Justice _____
..... for information of their Lordships.
3. Registrar Vigilance, High Court of J&K at Srinagar.
4. All Principal District and Sessions Judges for information and necessary action and with the request to circulate the Circular to all the Judicial Officers of their respective Districts.
5. CPC, e-Courts Project, High Court of Jammu and Kashmir for uploading the same on the High Court Website.


Registrar General