

CHAPTER X

WARNED LIST, WEEKLY AND DAILY BOARDS

1. Chief Justice to nominate Judges in charge of classes proceedings. — The Chief Justice will nominate from time to time seven Judges (hereinafter referred to as the Judges in charge) to be in charge of: -

- (1) First Appeals (Divisions Bench) and Letters Patent Appeals,
- (2) First Appeals (Single Judge), Appeals from Orders, Revision Applications and other Single Judge's Civil Matters
- (3) Writ Petitions (Division Bench)
- (4) Writ Petition (Single Judge)
- (5) Second Appeals.
- (6) Criminal Appeals and Applications (Division Bench).
- (7) Criminal Appeals, Revision Applications and other Single Judge's Criminal matters.

2. Warned Lists and Arrears Lists. — (i) All matters pending in registers, when they are ready, shall be placed on the Warned Lists and unready matters, when they become in arrears, on the Arrears List.

Explanation. — (a) Matters become ready when according to Appellate Side Rules, they are ready for being placed on Board for final disposal;

(b) A matter shall be deemed to become in arrear -

- (a) in the case of First Appeals, one year after their registration;
- (b) in the case of Second Appeals nine months after their registration.
- (c) in the case of Letters Patent Appeals, Appeals from Orders and Civil Revision Applications, six months after their registration;
- (d) in the case of Civil Applications and other miscellaneous matters three months after their registration;
- (e) in the case of short notice matters, three months after their registration;
- (f) in the case of expedited matters, three months after the date of order of expedition; and
- (g) in the case of Writ Petitions, thirty days after their registration.

(ii) A separate Warned List and an Arrears List shall be prepared for each class of cases, and for this purpose, expedited and short notice matters shall form a distinct class.

Explanation. — For the purposes of this rule, short notice matters shall include:—

- (a) Appeals under Special Acts.
- (b) Appeals against preliminary decrees.
- (c) Appeals under section 47 and section 104, Civil Procedure Code.
- (d) Appeals under Order XLIII, Rule I, Civil Procedure Code.
- (e) Applications for the exercise of the civil revisional jurisdiction of the Court.
- (f) Cases specially expedited by the Court.
- (g) Disciplinary matters.
- (h) Transfer applications under section 24 of the Civil Procedure Code.
- (i) Applications for leave to appeal to the Supreme Court.
- (j) Appeals from Orders made under section 144, Civil Procedure Code.
- (k) Deleted.
- (l) Concept proceedings.

(iii) Matters shall be placed on the Warned List and Arrears List strictly according to the sequence of the serial numbers.

3. Preparation of Warned and arrears Lists at close of summer vacation and their maintenance during the year. – At the close of the Summer Vacation every year, a complete Warned List and Arrears List for each class of cases shall be prepared and posted on the Notice Board. Thereafter at the end of every month, there shall be added to each Warned List and Arrears List matters which have become ready or in arrear. If during the month any matter already entered in the Arrears List becomes ready, the matters shall be struck off from the Arrears List and added to the Warned List under the signature of the Board Superintendent. Matters so added shall take their place in Warned List according to the sequence of their serial numbers. Similarly any matter from the Warned List, which becomes unready, shall be struck off from the said List and entered in the Arrears List.

4. Preparation of Weekly and Daily Boards. – (1) Weekly Board of each class of case from the Warned List shall be prepared and placed on the Notice Board every Friday, which shall contain the list of cases which are likely to be placed on the Daily Board, before the appropriate Courts during the week commencing after ten days. This Weekly Board shall be prepared strictly in accordance with the serial order in the Warned List.

(2) On the last working day of the Court in each week, Daily Boards containing the cases assigned to each Judge or a Bench of Judges according to the orders of the Chief Justice shall be prepared and put on the Notice Board for the next working day of the Court in the following week. Such Daily Boards shall, subject to such orders as may be passed by the Chief Justice or the Court, and save as otherwise provided in these Rules, be prepared strictly according to the serial order of the cases on the Weekly Board. After the conclusion of the sitting of the Court on the first working day of the week, the Daily Board for the next working day shall be prepared and shall contain matters left over from the Daily Board of that day with the addition of as many matters from the Weekly Board as may be expected to be heard on the following day:

Provided that if the Court concerned so desires or the Chief Justice so directs Weekly Boards may also be prepared for the day-to-day hearing of the cases before the Courts. Such Weekly Boards of hearing shall be prepared and noticed on the last working day in the preceding working week of the Court. At the end of each working day matters disposed of by the Court or Courts during the course of the day shall be struck off from such boards:

Provided further that a week for the purposes of the Weekly Boards mentioned in the preceding proviso may commence on any day of the week as may be desired by the Court or as may be directed by the Chief Justice:

Provided also that the first 25 (or so many as may be directed by the Court concerned) of the matters put or left over on the Weekly Board so prepared at the commencement of each working day shall ordinarily (but not necessarily) be regarded as the quota of cases fixed for hearing on the day.

(3) Motions for urgent circulation shall be made either immediately after the Court assembles, or reassembles, as the case may be, for hearing in the forenoon or the afternoon, or just before the Court rises for the lunch interval. No such motion shall be made or permitted at any other time after 3 p.m., except under special circumstances and unless the party of the Advocate concerned satisfies the Court that he could not move the Court as required under the earlier part of this sub-rule or earlier than 3 p.m., as the case may be.

(4) The Sheristedar-in-charge of the respective Courts shall seek and obtain orders of the Court at 3.30 p.m. on full working days and at 1 p.m. on Saturdays and half working days for discharging the Boards for the day and shall immediately convey orders of the Court in this regard to the Board Department.

(5) Cases which are on the Provisional Board in any week shall, if not disposed of, be included in the Weekly Board, for the following week.

5. Priority of certain proceedings on Daily Boards. - In preparing the Daily Boards for short notice and expedited matters, priority shall be given to motions or applications for revision of the orders of the Registrar or Taxing Officer, Election Appeals, Appeals in Matrimonial matters and appeals under the Workmen's Compensation Act (VIII of 1923).

6. Matters referred to Division Bench to be placed on Board of Division Bench hearing criminal and First Appeals. - Matters referred to Division Bench shall be placed, with the permission of the Judges, before the Division Bench hearing either criminal matters or the First Appeals in the order of their registration.

7. Adjournment in respect of matter on Weekly or Daily Boards. - (i) Every application for an adjournment of hearing of any matter included in the Weekly or Daily Board shall be made to the Court.

(ii) Motions, for adjournment of matters which are on the Warned List, but which have not been notified on the Weekly or Daily Board shall be made to such Judge as the Chief Justice may by special or general order, appoint to be in charge of the class of matters in respect of which adjournment is sought.

8. Chief Justice may make any changes in Weekly and Daily Boards. - Nothing in rules 5, 6 and 7 shall apply to cases or classes of cases which are specially ordered by the Chief Justice or the Court to be placed on the Daily Board.

9. When and for what period Deputy Registrar may order not to place on Daily Board matters from Weekly Boards. - The Deputy Registrar may, in any case where all the parties consent, direct that any matter on the Weekly Board may not be placed on the Daily Board for a period not exceeding one week in expedited or short notice matters and two weeks in other cases.

10. No adjournment of matter on Daily Board without Court's order. - After the preparation of the Board for the day, adjournments by consent shall not be sanctioned without the order of the Court.

11. Procedure for making motion other than for postponement of case on Daily Board. - No motion other than for the postponement of a case on the Daily Board shall, except under special circumstances and by leave of the Court, be made, unless notice thereof shall have given to the Registrar and the opposite party before 4-30 p.m. of the day previous to making the motion, and such notice shall state the Court in which and the day on which the motion is intended to be made.

12. Position of adjourned matters on Daily and Weekly Boards. (i) Any matter adjourned by the Court to a date in the same week shall be retained in its place on the Daily-Board with a note stating the date before which it will not be heard as ordered by the Court.

(ii) In matters which have been adjourned from the Weekly Board for a period exceeding one week, a note shall be made on the Weekly Board indicating the date before which it cannot be heard as ordered by the Court.

13. Cases on Warned List to be marked with a date before which they are not to be placed on Daily Board. - Cases in the Warned List shall be marked with a date before which they are not to be put up on Daily Board, except by the direction of the Judge-in-charge.

14. Notification of matters granted ex parte by Registrar. - The office shall notify every Monday the list of matters granted ex parte by the Registrar or the Deputy Registrar, as the case may be.

15. Rule under Advocates Act to apply for non-attendance of Advocates. - Rules framed by the High Court under section 34(1) of the Advocates Act shall be followed in the matter of the non-attendance of the Advocates.

16. Entrustment to another advocate. - Where an advocate appointed by a party in any of the proceedings is prevented by reasonable cause from appearing and conducting the proceedings at any hearing, he may instruct another Advocate to appear for him at that hearing.

17. Withdrawal of appearance. - When an Advocate who has filed a Vakalatnama for a party wishes to withdraw his appearance he shall serve a written notice of his intention to do so on his client at least seven days in advance of the case coming up for hearing before the Court. Leave of the Court to withdraw appearance may also be applied for if the client has instructed the Advocate to that effect. The Advocate shall file a note in writing requesting the Court for permission to withdraw appearance and shall also file along with the Note the letter of the client instructing him to withdraw his appearance or a copy of the intimation given to the client as above together with its written acknowledgment by the client. The Court if it is satisfied that no inconvenience is likely to be caused to the Court or the client may permit the Advocate to withdraw his appearance and while permitting the Advocate to do so may also impose such terms and conditions as it may deem proper either in public interest or in the interest of the parties.

18. Intimation of case being brought on Board to be given to a party not represented by Advocates. - Intimation that a case has been brought on to the Weekly Board shall be given by registered post to any party thereto, not represented by an Advocate, who has supplied to the Office his address and the necessary stamps for postage and registration.

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