

ACTION PLAN - 2023 TO ACHIEVE 'FIVE PLUS ZERO' PENDENCY
FROM JANUARY 2023 TO DECEMBER 2023

**FOR DISTRICT COURTS IN THE STATE OF MAHARASHTRA, GOA & UTS
AND EX-CADRE COURTS AND FAMILY COURTS IN THE STATE OF
MAHARASHTRA**

1. All Judicial Officers shall endeavor to clear the backlog of all more than 5 years old cases.
2. In the year 2023, following cases shall be treated as 5, 10, 20, 30 and 40 Years Old Cases:

Cases Instituted In The Year (As per Date of Registration)	Treated as	Period for Date of Registration
1983 and before it	40 Years Old cases	Upto 31.12.1983
1984 to 1993	30 Years Old cases	01.01.1984 to 31.12.1993
1994 to 2003	20 Years Old Cases	01.01.1994 to 31.12.2003
2004 to 2013	10 Years Old Cases	01.01.2004 to 31.12.2013
2014 to 2018	5 Years Old cases	01.01.2014 to 31.12.2018

3. Deadline to clear the old pendency:

Districts	40 Years Old Cases	30 Years Old Cases	20 Years Old Cases	10 Years Old Cases	5 Years Old Cases
(1) All District Courts in Maharashtra, Goa, UTs (2) City Civil Courts, Mumbai (3) Small Causes Courts, Mumbai, Nagpur and Pune (4) Chief Metropolitan Magistrate Courts, Mumbai (5) All Ex-cadre Courts in Maharashtra	June 2023		September 2023		December 2023

4. The Principal District Judges shall direct all the courts to prepare the list of all 10 years and above old cases (upto the year 2013) Ready/Unready cases and shall distribute the cases equitably. The final list of Ready Cases shall be exhibited at conspicuous part of respective Courts. It shall also be sent to the Bar associations. The list of Criminal Ready cases be sent to the Public Prosecutor offices. The list of Ready and Unready cases be sent to the Concerned police stations.

5. The Judicial Officers shall submit a Report in the cases pending before it to the Principal District Judges regarding 5 years and above old cases, which are stayed by the District/Sessions Court and which are not earlier reported. The Principal District Judges shall ensure that priority is given to such cases in which stay has been granted and shall take necessary steps for expeditious disposal of such cases.

6. The Judicial Officers shall pay attention to 5 years and above old cases, which are shown as stayed by High Court in C.I.S. In many cases, stay has been already vacated by the Hon'ble High Court. The Judicial Officers and the Principal District and Sessions Judges shall review the status of such stayed matters.

7. The Judicial Officers shall pay attention to the undated cases and cases which are listed on holidays in CIS.

8. The Judicial Officers shall follow the practice directions issued by the Registrar General for expeditious trial of cases under section 138 of N. I. Act, 1981.

9. The District Level Sub-Committees to hold regular meetings with the Collector for giving priority to 5 years and above old cases, which are pending due to reference to the tenancy authority, or reference to the survey officer for carrying out survey, or measurements. If files of the reference are lost, a fresh set of documents be forwarded to the tenancy or survey authorities. The Judicial Officers and Court Managers shall take continuous follow up action in this regard.

10. The District Level Sub-Committees shall hold periodical meetings with the Superintendent of Police, or Commissioner of Police for expeditious service of summons/warrants in 5 years and above old cases. The District Level Sub-Committees shall monitor the working of the Special Cell created by the Police for tracing out absconded accused. The District Level Sub-Committees shall ensure that the updated list of absconded accused in all the old cases pending in various Courts in respective districts be supplied to the Superintendents of Police, or Commissioner of Police. The Judicial Officers and Court Managers shall take continuous follow up action in this regard. They shall report about service by Special Cell to the concerned District Level Sub-Committees.

11. Monitoring of Service of Summons and Warrants Received from Outside Local Jurisdiction:

- a) All Criminal Courts to take recourse of Section 67 and 78 of the Code Criminal Procedure for effective service of Summons and Warrants on the persons residing outside the local jurisdiction of the court issuing summons and warrants.
- b) All Judicial Magistrates First Class to submit the monthly information about the summons received for service under Section 67 of the Code of Criminal Procedure to the Chief Judicial Magistrate (C.J.M.) of the District. The C.J.M. to place such information in monthly meetings of District Level Sub-committees.
- c) The Principal District Judges to ask the Superintendent of Police, or Commissioner of Police to collect the information about warrants received by executive Magistrates/S.P./C.P. from outside local jurisdiction of courts under Section 78 of the Code of Criminal Procedure and to place the status of service effected in the Monthly meetings of District Level Sub-committees.

12. In each workshop of the Judicial Officers, all District courts and ex-Cadre Courts, the Principle Judge at station shall discuss about the difficulties and suggestions for effective implementation of the Action Plan.

13. The Principal District Judges and Principal Judges at the Taluka Courts to hold the regular meetings with the office bearers of concerned Bar Associations and to seek their co-operation for expeditious disposal of 5 years and above old cases.

14. The District Level Sub-Committees shall monitor the working of the Special Cell of Bailiffs, constituted for service of summons/notices in 5 years and above old cases in monthly meetings. The Judicial Officers and Court Managers shall take continuous follow up action in this regard.

15. 'Urgent Case Option' is available in CIS to flag all the cases notified under the Action Plan. The District Level Sub-committees shall monitor the same in monthly meetings and ascertain in how many cases courts have used the 'Urgent Case Option'.

16. Chief Judicial Magistrate of every district shall, by email on or before 5th day of every month, call information from each court of JMFC and Addl. CJM as to which cases are kept on dormant file. The Chief Judicial Magistrate shall, by holding a monthly meeting on Video Conferencing on any one day of every month as may be convenient to them, discuss with presiding officers of Courts of JMFC & Addl. CJM as to how these cases can be disposed of as per law.

17. The District Level Sub-committees shall monitor the use of video conferencing facility and submit the Half-Yearly Report to the Secretariat about number of times the facility has been utilised by each court for recording evidence of Investigating Officers, Medical Officers and other Government Officials, who are witnesses in Criminal Cases.

18. The District Level Sub-Committees of SCMS Committee shall hold monthly meetings in the ***1st week of every month*** and to include the topics mentioned in *the Modalities to Hold Monthly Meeting of District Level Sub-Committees*. The Report of Monthly Meeting shall be submitted to the Secretariat of SCMS Committee in ***2nd week of every month***. If for any reason the District Level Sub-Committees of SCMS Committee do not hold monthly meetings, then concerned district shall inform the Secretariat to that effect

through email.

19. The Action Plan is also applicable to Ex-cadre Courts of Maharashtra i.e. Co-operative Courts, Motor Accident Claim Tribunals, Industrial & Labour Courts for Judicial matters. Therefore (a) The President, Maharashtra State Co-operative Appellate Court, Mumbai, (b) The Chairman, Motor Accident Claim Tribunal, Mumbai, (c) The President, Industrial & Labour Court, Maharashtra, shall hold monthly meetings in the ***1st week of every month*** to see the progress as per the directions in the Action Plan and to submit the summary report to the Secretariat in ***2nd week of every month***.

20. The Action Plan is also applicable to Family Courts of Maharashtra for Judicial matters. The Principal Judges, Family Courts shall hold monthly meetings in the ***1st week of every month*** to see the progress as per the directions in the Action Plan and to submit the summary report to the Secretariat in ***2nd week of every month***.

21. Separate Action Plan for Charity Organisation, Maharashtra State will be followed.

22. **The Ex-cadre Courts, where District Level Sub-committees are not established, the Principle Judge to take stock of all the applicable directions to such courts and to act accordingly.**
