

# HIGH COURT OF KARNATAKA, BENGALURU

September 02, 2020

## NOTICE

The Division Bench of Hon'ble High Court of Karnataka headed by Hon'ble the Chief Justice and Hon'ble Shri Justice Ashok S.Kinagi in Writ Petition No.7338/2020 vide order dated 31.08.2020 has passed the following order regarding compliance of office objections. The relevant portion of the order in Paragraph No.12 reads as under:

*"12. Accordingly, we issue the following directions:*

*(i) In all cases filed from 21<sup>st</sup> March 2020 till 31<sup>st</sup> August 2020 (both days inclusive) in the High Court at the principal seat and both the Benches at Dharwad and Kalaburagi, all the office objections save and except the objections enlisted below shall stand waived. The objections which are not waived are as under:*

- (a) objections regarding non-payment of court fee or insufficient payment of court fee;*
- (b) objection regarding bar of limitation;*
- (c) objection regarding maintainability of the proceedings;*
- (d) objection regarding failure to furnish second set of papers (only in case of Division Bench matters);*
- (e) objections regarding failure to annexure copies of the impugned judgments/orders/impugned notifications / impugned endorsements / impugned communications;*
- (f) objections regarding the non-compliance of Rule 3A of Chapter 10 of the said Rules of 1959; and*

(g) *objections regarding non-compliance with the circular dated 20<sup>th</sup> July 1998 in the criminal petitions about failure to serve the petitions in advance to the offices of the State Public Prosecutor.*

(ii) *All office objections raised in the cases filed during the period from 21<sup>st</sup> March 2020 to 31<sup>st</sup> August 2020 (both days inclusive) except the objections which are enlisted above shall stand waived. All the cases where the objections raised are not covered by any of the 7 objections enlisted above, shall be registered for placing the same before the Court. However, this order will not preclude the concerned Courts hearing the matters from directing rectification of any specific objection which goes to the root of the matter and which prevents the Court from hearing the case on merits. By way of an illustration, we may state that the Hon'ble Judges who are not conversant with Kannada language can direct production of English translation of the material Kannada documents;*

(iii) *It is clarified that if any of the objections which are raised relate to one of the 7 objections enlisted above, the case will not be registered unless an order of posting before the Court is passed by the Court or unless the objections are rectified;*

(iv) *In the cases which were filed before or after 21<sup>st</sup> March 2020 in the High Court at principal seat as well as Benches where pre-emptory orders were passed fixing the time limit for rectification of the office objections and where the time fixed by the Court for rectification of office objections has expired between 21<sup>st</sup> March 2020 and 31<sup>st</sup> May 2020 (both days inclusive), the time granted for*

*rectification of the office objections shall stand extended till 30<sup>th</sup> September 2020 and, therefore, such cases shall be treated as pending;*

*(v) As directed by the Apex Court by the order dated 6<sup>th</sup> April 2020, the aforesaid directions shall be treated as lawful.”*

**BY ORDER OF HON'BLE THE CHIEF JUSTICE**

Sd/-  
(RAJENDRA BADAMIKAR)  
REGISTRAR GENERAL