

CIRCULAR

The concerned branches on judicial side are hereby directed to follow the directions passed by the Hon'ble Division Bench of this Hon'ble Court headed by the Hon'ble Chief Justice vide order dated 24.05.2021 in W.P. No.7338/2020 (GM-RES-PIL) (Suo Motu) with regard to rectification of office objections, especially paragraph 3 and 4 of the aforesaid Order, which reads as follows,-

"3. In many civil and criminal cases, the High Court of Karnataka has issued directions to the District and Trial Courts in the State for disposal of cases in time bound manner. Considering the Standard Operating Procedure issued by the High Court, the District and Trial Courts will find it difficult to meet the deadline fixed by this Court. We therefore direct that wherever this Court has issued directions to the District and Trial Courts in the State to dispose of the cases within a specified time schedule and where time has expired or is likely to expire on or before 30th June 2021, for the time being, the time for disposal of cases stands extended by a period of three months from today. This direction will not apply to bail petitions.

4. Certain directions have been issued by this Court about the rectification of objections in the cases filed in the High Court. In addition to the said directions issued under order dated 12th May 2021, we issue following additional directions:-

- (i). In all cases other than criminal cases covered by the order dated 12th May 2021 filed from 19th April 2021 till

30th June 2021 (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 for the time being. The objections which are not waived are as under:

- a) Objection 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) Objection regarding non-compliance of Rule 3A of Chapter 10 of the High Court of Karnataka Rules, 1959;
 - f) Objection regarding non-compliance with the Circular dated 20th July 2019 in Criminal Petitions about the failure to serve the petitions in advance to the office of the State Public Prosecutor;
 - g) Objection regarding failure to annex the copies of impugned judgment / orders / impugned notifications / impugned endorsements / impugned communications;
- (ii) All objections raised in the cases other than criminal cases covered by the order dated 12th May 2021 filed during the period from 19th April 2021 to 30th June 2021 (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 seven objections enlisted above shall be registered for

the objections raised are not covered by any of the seven objections enlisted above shall be registered for placing the same before the Court. We, however, make it clear that this order will not preclude the concerned Courts hearing the matters from directing the rectification of any specific objection which goes to the root of the matter and which prevents the Court from hearing the cases on merits.

- (iii) It is clarified that if any of the objections which are raised fall in the category of seven objections enlisted above, the cases will not be registered unless an order of posting before the Court is passed by the Court or unless the objections are rectified.

BY ORDER OF THE HON'BLE COURT,

Sd/-

(K.S.BHARATH KUMAR)
REGISTRAR (JUDICIAL)

To:

1. The Registrar General.
2. The Registrar (Vigilance).
3. The Registrar (Computers).
4. The Registrar (Administration).
5. The Registrar (Recruitment).
6. The Registrar (Review & Statistics).
7. The Registrar (Infrastructure & Maintenance).
8. The Central Project Co-ordinator.
9. The Addl.Registrar General, High Court of Karnataka, Dharwad Bench, Dharwad.
10. The Addl.Registrar General, High Court of Karnataka, Kalaburagi Bench, Kalaburagi.
11. The P.S. to Hon'ble the Chief Justice.
12. All the Private Secretaries to the Hon'ble Judges.
13. All the PAs to Registrars.

