

HIGH COURT OF KARNATAKA BENGALURU

DATED: 20TH MAY 2021

STANDARD OPERATING PROCEDURE (SOP) **FOR BENCHES AT DHARWAD AND KALABURGI WITH EFFECT** **FROM 24TH MAY 2021 TILL FURTHER ORDERS**

1. MEASURES ADOPTED FOR ENTRY TO THE HIGH COURT PREMISES:

(a) The Advocates Parties-in-person and litigants are not allowed to enter the court complex unless there is a specific order of the court. Only for the purpose of rectification of office objections, entry of Advocates and parties-in-person shall be allowed, with proper proof of identity at the designated point. The advocates and the parties in persons are requested to visit the Court for rectification of the objections only if it is mandatory.

(b) The entry and exit for Court staff, police personnel and all official vehicles entering the Court premises shall be through designated entry points.

(c) Every person entering the Court premises including Advocates and staff members shall mandatorily wear a proper face mask preferably by N95 type for the time; staff of the court shall wear hand gloves all the time and shall use sanitiser regularly. While in the Court all persons shall strictly follow the rule of maintaining social distancing.

(d) Every person entering the Court precincts including the Advocates, Police, Security Staff, members of the Court staff including drivers and PSOs of the Hon'ble Judges, shall be scanned at the entry point by using temperature scanners/thermal scanners

by the health workers of the State Government or High Court Staff or Para Legal Volunteers and an inquiry shall be made through health workers to ascertain whether any of them are having known symptoms of Covid-19. If it is found that temperature is not normal or any of them are found to have symptoms, their entry in the Court precincts shall not be permitted. The names and cell phone numbers of the persons entering the Court precincts shall be recorded. No one would be allowed to enter the Court precincts without wearing a proper mask. The aforesaid instructions are also applicable to the Advocates/Advocates' clerks /parties-in-person visiting the Courts for the purpose of payment of Court fees or payment of process fees.

(e) At the entry/exit point, persons entering the Court premises shall strictly follow social distancing and cooperate with the medical screening team.

(f) Additional Registrar General shall issue entry passes to the litigants or officers or such persons who have been specifically directed under the Court order to be personally present and only pass holders shall be permitted entry into Court building or premises as the case may be. Passes will be issued by mail on receipt of requests made by the applicants by sending e-mail at

Dharwad Bench - argdwd-hc-ka@nic.in

Kalaburagi Bench - arg.hckkalaburagi@karnataka.gov.in

Along with request for issuing pass, a soft copy of the order of the Court be forwarded. The soft copy or printed copy of the mail shall be tendered at the entry point of court premises

2. FILING COUNTERS:

Filing of cases is permitted by two (2) modes, i.e., e-filing and physical filing. It is hereby informed that the facility for receiving new filing of cases Interlocutory Applications (IAs), extra documents, Memos and Demand Drafts/Cheques, is also made available at the Filing Counter without fixing any prior appointment.

The filing counter shall be opened from 10.30 am to 1.30 pm and 2.30 pm to 4.30 pm on all working days from Monday to Friday and from 10.30 am to 12.30 pm on all working Saturdays. Queue shall be maintained in front of each counter and congregation shall be avoided. While standing in the queue, every one shall wear proper face masks (preferably N95) and shall maintain distance of 6 feet. If this discipline is not followed, the Court administration reserves right to suspend the operation of the counters. If the person approaching the counter is not wearing face mask, the staff member shall not accept any documents from the person.

E-FILING (EMAIL)

(a) In case of urgency, the Advocates/parties-in-person are entitled to file the matters by forwarding the complete petition/appeal in soft copy(scanned PDF format) by forwarding from their e-mail address

- In case of bench at Dharwad to the email id hckdwd-filing@hck.gov.in of Additional Registrar General Dharwad.

- In case of bench at Kalaburagi to the email id hckklb-filing@hck.gov.in of Additional Registrar General Kalaburagi.

Further soft copies of the same may be sent to the Government Advocates/Public Prosecutors office at Dharwad Bench to agkardharwad@gmail.com (for Civil and Criminal matters) and at Kalaburagi Bench to agkarkalaburagi@gmail.com (for Civil and Criminal matters).

(b) All pages of the petition shall be signed by the petitioner / authorized agent and also by the lawyer before being scanned. Annexure to the petition shall also be scanned in PDF format and sent along with the petition. However, upon restoration of normal functioning of the High Court, hard copies of the complete petition as required under the rules shall be supplied. In cases where affidavit has not been filed with the soft copy, the affidavit which may be subsequently be sworn, would contain recital to the effect that the petition was filed during the crisis period but its contents are being verified now. Even for the matters filed through e-filing during this crisis period and disposed of during this period, the petitioner and his/her lawyer would supply the hard copy complete in all respects, upon restoration of normal functioning of the High Court.

(c) In case of urgency, statement of objections, reply, affidavits and memo can be filed during this period, shall also be filed as per the method given for e-filing of petition.

MEMO FOR POSTING

(d) Memo for urgent Preliminary Hearing/Admission and Orders and final hearing (except matters on notified Advance Lists) shall be sent only by e-mail to arj.hckdb@gmail.com of the Additional Registrar General, Dharwad and hckklb-filing@hck.gov.in of the Additional Registrar General, Kalaburagi as per the Form-‘A’ appended hereto with a brief note explaining the extreme urgency. The memo must accurately state the contact email id and cell phone number of the person filing memo. The memo shall be as far as possible in the Form-‘A’ appended hereto. All details shall be set out in the memo and if the memo does not contain the sufficient details, the prayer for listing and/or e-filing is likely to be rejected. Memo for urgent posting shall not be moved before any individual Court by physical appearance or in physical form. Hon’ble Chief Justice has given instructions to Registry not to post any case on the basis of the memo physically received in Court without his permission.

(e) In Criminal Appeals, all details such as offences alleged, date of the impugned order, and nature of the order shall be set out. In Criminal Revision Petitions, Writ Petitions, Criminal Petitions Under section 482 of Cr.P.C. apart from the above details, the nature of reliefs sought must be disclosed. Any other factual details to make out a case of urgency shall also be stated in the memo. If the case is pending before the Trial Court, next date fixed shall be disclosed.

(f) In case of civil matters, the nature of the relief sought in the case shall be set out. If the case has been admitted for final hearing, it must be specified in the memo. If the case is pending for preliminary hearing, the memo must record that the case is pending for preliminary hearing. The date of the impugned order,

if any and its nature shall be specified. All factual details making out the case of urgency shall be stated in the memo. In the event, the case is already listed on any of the Advance List, a statement to that effect shall be made in the memo.

(g) If the memo does not contain the particulars as specified in this SOP, the same shall be liable to be rejected.

(h) In case of following newly filed cases, memo for posting will not be entertained. The same shall be listed automatically as notified:

- i. Criminal Petitions U/s 438 – 3rd day from the date of filing,
- ii. Criminal Petitions U/s 439 & 482 of Cr.P.C. and Writ Petitions, under Article 226 R/w Sec. 482 of Cr.P.C - 4th day from the date of filing,
- iii. Criminal Appeals against Conviction – 4th day from the date of filing,
- iv. Public Interest Litigation, WP – Green Bench & Civil Contempt Petition – 7th day from the date of filing,
- v. Writ Petitions (GM, GM-CPC, KLR and LR) – 5th day from the date of filing
- vi. Commercial Appeals-5th day from the date of filing.
- vii. Writ Appeals – 5th day from the date of filing

Note: The General Holidays shall be excluded for counting the days

(i) Payment of Court fees shall be made through online on the “*Online Copy Application/Court Fee Payment*” – portal of High Court of Karnataka. Apart from online payment the court fees can also be paid through Khajane II interface using the URL <https://k2.karnataka.gov.in>.

ON-LINE/E-FILING (SOFTWARE) [In addition to Clauses 2(a) to 2(d)]

(j) The Advocates or parties in person can now file the matters by on-line. For details of on-line filing they may visit the website the High Court of e-filing portal (efiling.ecourts.gov.in)

(k) In the event of filing the matter through online filing and if there is any urgency in the matter, a memo shall be send to mail id arj.hckdb@gmail.com of the Additional Registrar General, Dharwad, by stating the e-filing number. Similarly hckklb-filing@hck.gov.in of the Additional Registrar General, Kalaburgi, by stating the e-filing number.

3. HEARING OF CASES:

All cases will be heard by physical and by video conferencing.

4. SPACE FOR THE NOTARIES, OATH COMMISSIONERS & COMPLIANCE OF OFFICE OBJECTIONS:

Notaries and Oath commissioners at Dharwad and Kalaburagi Benches will have to make their own arrangements to operate from outside the premises of the High Court.

The office objections can be compiled during the followings hour:

Monday to Friday between 11:00 a.m. to 1:00 p.m.

Working Saturday between 11:00 a.m. to 12.30 p.m.

at designated point fixed for the same by Additional Registrar General. The members of the Bar / parties-in-person shall note that t may take 15 to 30 minutes time to procure the file.

5. STEPS TO BE TAKEN BY THE STAFF

- a)** The staff shall have ingress and egress through designated entry & exit points.
- b)** The staff shall be subjected to the test as already indicated in the advisories issued hitherto.
- c)** Whenever members of the staff are called upon the court for urgent work or to attend the home office of the Hon'ble Judges, it should be ensure that all to them are wearing proper masks and wash their hands with soap or hand Sanitizer before commencing their work. Social Distancing shall be maintained by them at all times.
- d)** The staff of High Court shall ensure that learned Advocates, Advocate Clerks and Parties in person shall not visit any branch in the High Court.
- e)** Group C & D employees shall not congregate at one place or sit in groups.

6. GENERAL

- (a)** The persons who have provided swab samples for COVID testing may be infectious. Hence, as a matter of abundant caution, all such persons are advised to remain in strict isolation/quarantine at home till their test results are communicated (All persons should compulsorily disclose the date on which swab came to be collected).

Above advisory is to be followed by all Court Officials, Advocates, Staff Members, Law clerks, Litigants, Policemen and all such person/s visiting the High Court Complex.

(b) The learned Advocates/ parties-in-person/ Advocates' clerks are requested to co-operate with the High Court Administration.

(c) The Entry to the Court precincts has been restricted through prescribed entry points/ gates in the light of pandemic situation.

(d) The party-in-persons shall permitted to enter the Court premises only if an express permission has been granted under the order of the Court and a copy of such order passed by the Court is shown at the designated entry point.

(e) Use of elevators/lifts shall be restricted to 50% of the capacity excluding the lift operator.

(f) Wearing of masks is compulsory in the Court halls, Bar Association Premises, offices as well as in the Court compound. Anybody found not wearing mask shall be immediately required to leave the premises.

7. SITTING OF BENCHES

Sitting will be as per modified roster.

BY ORDER OF HON'BLE THE CHIEF JUSTICE

Sd/-
(T.G. SHIVASHANKARE GOWDA)
REGISTRAR GENERAL I/c.