

RJ No.206/2023

High Court of Karnataka,
Bengaluru,
Dated: 16.11.2023

CIRCULAR

The Hon'ble High Court vide orders dated 12.09.2023 while allowing the petitions in CrI.P Nos.6569/2020 and CrI.P No.7477/2019 has directed the Controller of Legal Metrology to sensitize the Assistant Controllers in the State to update themselves about the position of law declared by the Courts from time to time; not to file private complaints mindlessly and recklessly; henceforth to personally supervise and peruse the private complaints lodged by the Assistant Controllers in the Cities of Bengaluru, Bengaluru Rural District, Mangaluru, Mysuru, Dharwad, Davanagere and Kalaburagi under the provisions of the Legal Metrology Act 2009 and the Rules made thereunder and be satisfied about the need for prosecution before they are filed before the Court. Further, the Registry is directed to issue communication to the Magistrate Courts in the aforesaid cities to take cognizance of such complaints in accordance with law only after ascertaining that proper declaration is made by the Controller of Legal Metrology as to the need for prosecution.

Therefore, all the Magistrate Courts in the Cities of Bengaluru, Bengaluru Rural District, Mangaluru, Mysuru, Dharwad, Davanagere and Kalaburagi are directed to peruse the private complaints lodged by the Assistant Controllers of Legal Metrology under the Metrology Act, 2009 and ascertain whether proper declaration is made by the Controller of Legal Metrology that he or she is satisfied by the need for prosecution and thereafter take cognizance in accordance with law, as directed in aforesaid petitions.

BY ORDER OF HON'BLE THE CHIEF JUSTICE

REGISTRAR (JUDICIAL)

To:

1. The Additional Registrar General/ Additional Registrar (Judicial), High Court of Karnataka at Dharwad and Kalaburagi Benches.
2. The Central Project Co-ordinator (CPC), with a request to web-host the circular.
3. The Joint Registrar/Assistant Registrar/Section Officer of DJA-I for circulation amongst the Magistrates in the State.
4. Office copy.