

CIRCULAR

The Hon'ble Apex Court while disposing of case in **Shama Sharma Vs. Kishan Kumar reported in 2024 SCC OnLine SC 88 (Transfer Petition (Civil) No. 1957/2023 vide dated 10.01.2024)** has issued directions for immediate compliance, as follows:

“...10. Before parting with this matter, we have noted with surprise that the caste of both the parties has been mentioned in the memo of parties, besides their other details. Learned counsel for the petitioner submits that if the memo of parties as filed before the courts below is changed in any manner, the Registry raises an objection and in the present case as the caste of both the parties was mentioned before the court below, he had no option but to mention their caste in the Transfer Petition.

11. We see no reason for mentioning the caste/religion of any litigant either before this Court or the courts below. Such a practice is to be shunned and must be ceased forthwith. It is therefore deemed appropriate to pass a general order directing that henceforth the caste or religion of parties shall not be mentioned in the memo of parties of a petition/proceeding filed before this Court, irrespective of whether any such details have been furnished before the courts below. A direction is also issued to all the High Courts to ensure that the caste/religion of a litigant does not appear in the memo of parties in any petition/suit/proceeding filed before the High Court or the Subordinate Courts under their respective jurisdictions.

Contd...2

12. The above directions shall be brought to the notice of the members of the Bar as well as the Registry for immediate compliance. A copy of this order shall be placed before the Registrar concerned for perusal and for circulation to the Registrar Generals of all the High Courts for strict compliance.”

Therefore, in view of the above directions, all the Officers and officials working in the Filing, Scrutiny and Pending branches in the High Court of Karnataka and all the Courts/Tribunals functioning in the District Judiciary shall ensure that the caste or religion of parties is not mentioned in the petition/suit/proceeding. There shall be strict compliance of above directions, and any violation in this regard will be viewed seriously.

BY ORDER OF HON'BLE THE CHIEF JUSTICE

Sd/-

**(M.CHANDRASHEKAR REDDY)
REGISTRAR (JUDICIAL)**

To:

1. The P.A. to Hon'ble The Chief Justice
2. The Registrar General/ Registrar (Vigilance)/ Registrar (Recruitment) / Registrar (Administration)/ Registrar (Infra & Maintenance) / Registrar (Protocol & Hospitality) / Registrar (Computers).
3. The Additional Registrar General/ Additional Registrar (Judicial), High Court of Karnataka at Dharwad and Kalaburagi Benches, for information.
4. The Central Project Co-ordinator (CPC), with a request to web-host the circular.

Contd...3

5. The Deputy Registrars/Assistant Registrars/Section Officers of Filing Section, Scrutiny and Pending Branches.
6. The Director, Karnataka Judicial Academy, Bengaluru
7. The Assistant Registrar and Section Officer of DJA-I to circulate the circular to all the Courts/Tribunals through the respective Principal District and Sessions Judges and Unit Heads.
8. The Chairman/Secretary of Karnataka State Bar Council, with a request to circulate the directions to all the members of the Bar in the State.
9. Office Copy.