

HIGH COURT OF GUJARAT

CIRCULAR

Date: 07.01.2022

The World Health Organisation has declared the Novel Corona Virus (COVID-19) as pandemic. The Ministry of Health and Family Welfare, Government of India has issued a Memorandum cautioning the general public to stay away from mass gatherings to curtail spread of the said disease. To avoid mass gatherings, the State Government has also taken a decision for reducing the congregation by placing several restrictions. Having regard to the safety of all the stakeholders viz., the Lawyers, litigants, visitors to the Court premises and court staff and with a view to assist the efforts made by both the Central and State Governments to prevent spread of COVID-19, the Hon'ble Chief Justice, after due deliberation with the Hon'ble Judges of the Standing Committee and Hon'ble Judges of the Standard Operating Committee and consideration of the request made by the Gujarat High Court Advocates' Association and representation submitted by several Senior Advocates, has been pleased to issue the following directions, to come into effect from 10th January 2022:

1. The High Court of Gujarat will function in virtual mode only through video conferencing till further orders. The methodology for Video Conferencing would be as prescribed in Circular dated 22/03/2020 (Annexure-I) and as modified from time to time thereafter (Annexures II (dtd. 15/05/2020), III (dtd.15/08/2020), IV(dtd.23/09/2020) & V(dtd.08/01/2021), summary of which is as under:
 - a. The Video Conferencing Platform for Virtual Courts will be Zoom Cloud VC Application as earlier used.
 - b. The VC Meeting Link will be auto transmitted through SMS and e-mail (in advocate-wise cause-list) on the previous working day of the listing date of the matter, to all the Advocates who are there in the particular matter and the

Parties-in-person whose mobile number and e-mail address are registered with the High Court.

- c. The Display Boards of the High Court on the High Court website as well as on You Tube shall work as usual.
- d. SMS message to the registered mobile number of the Advocate/Party-in-person will be sent when the matter is called out by the particular Bench.
- e. All learned Advocates are requested to show their correct and exact name as the display name while joining the Court VC hearing session.
- f. In case of urgency, Advocates or Party-in-person shall forward a memo by e-mail to the e-mail ID i.e. reg.jud.gujhc@gmail.com 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. All details shall be set out in the memo and if the memo does not contain the requisite details, the prayer for listing the matter is likely to be rejected.
- g. In case of bail application and anticipatory bail applications, the details of the offences alleged shall be briefly stated with reference to particular sections of statutes. The memo must state the date of arrest and the date on which application for grant of bail or anticipatory bail, as the case may be, is rejected by the Sessions Court. The memo must also state whether any earlier application for the same relief was made in the High Court and if such application had been filed by the petitioner earlier, the date of the order passed by the High Court shall be stated and the petitioner must state whether the application was rejected on merits or was withdrawn. In Criminal Appeals, all details such as offences alleged, date of the impugned order, nature of the order shall be set out. In Criminal Revision Petitions and Special Criminal Applications, apart from all 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.

- h. 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 stated or specified in the memo as to the nature of urgency. If the matter/case is pending for admission, it must be so specified in the memo. All factual details making out a case of urgency shall be stated in the memo as otherwise it is likely to be rejected.
- i. All emails received for urgent posting upto 10.30 am will be scrutinised by 4.00 pm and if extreme urgency is considered favourably by the Hon'ble Chief Justice or the Hon'ble Judges, necessary intimation of date of hearing will be informed to the concerned Advocate or Party-in-person viz. the date of hearing of the matter through virtual hearing through registered email ID of Advocate or Party-in-Person.
- j. In the event a request for posting the matter which is already filed is accepted, the Advocates and/or Parties-in-person at whose instance the date is fixed shall serve notice of the date fixed by email or bay way of message on cell phone to all the Advocates and Parties-in-person who have already caused appearance in the case.
- k. In case MCA/CA is filed in a pending case, after receiving intimation of the date fixed, the Advocates or Parties-in-person shall serve copy of such MCA/CA by email to the Advocates or Parties-in-person who have already caused appearance in the case.
- l. The Advocates or Parties-in-person shall not make multiple request in the same case by sending emails to the Registrars. The processing of the requests received through e-mail will take approximate period of 48 hours and before

completion of 48 hours no reminder shall be issued or forwarded by the Advocate or Parties-in-person.

- m. The Advocates or Parties-in-person shall maintain decorum and shall not use inappropriate language while sending emails to the Registrars considering the fact that the Registrars are District Judges.
 - n. At the time of Virtual hearing, under no circumstances Advocates or Parties-in-person shall be permitted to remain present in Court Halls. Only in exceptional circumstances as in the case of Advocate General, Government Pleader, Public Prosecutor or Additional Solicitor General and Prosecutors such presence will be permitted as may be decided by the Hon'ble Judge.
2. No entry shall be allowed for Advocates or litigants in the High Court premises. All learned Advocates should take out their necessary files/belongings, etc. kept in the Chambers at the High Court premises on or before 7th January 2022 – 6 pm.
3. For the convenience of the Advocates/Parties-in-persons/Advocates' Clerks, special filing counters have been opened near Gate No.5 of the High Court premises.
- a. Physical filing of matters will be accepted from 11.00 am to 04.00 pm at Counters near Gate No.5 of the High Court premises.
 - b. The Advocates/Parties-in-person/clerks who wish to file the matters physically, will have to apply on High Court Website Case Status link, seeking appointment of date and time for such physical filing of the matters by specifying the matters to be filed by them.
 - c. The Advocates/Parties-in-person will be communicated the date, time and the counter number by sending a reply for filing all the matters on the registered email ID.

- d. Advocates-Parties-in-person are requested to reach the High Court premises 10 minutes before the scheduled time of appointment.
 - e. For approaching the filing counters, the Advocates/Parties-in-persons will have to stand in queue at the specified areas only. Social distancing shall be maintained while standing in the queue. Needless to add, no person will be allowed near the High Court premises without wearing a mask.
4. The Dress Code of the Advocates appearing the Video conference for the time being shall be in terms of the Circular dated 13.05.2020 issued by the Hon'ble Supreme Court of India as has been reiterated by the Circular No.C.2605/2020 (Annexure VI) dated 15.05.2020 issued by this High Court.
 5. E-filing portal shall continue to function as usual.
 6. The office objections relating to production of certified copy of impugned judgement/order would stand dispensed with until further orders.
 7. Except office objections relating to Court Fee, Jurisdiction and other mandatory office objections, all other objections shall be treated as dispensed with.
 8. In the matter of Habeas Corpus petitions, the corpus shall be produced by the jurisdictional police authorities before the jurisdictional District Court to enable the Hon'ble Judges presiding the Bench to interact in virtual mode with the person so produced.
 9. Standard Operating Procedures (SOPs) issued by the High Court and the guidelines in force by the Government with respect to social distancing, wearing of masks, undergoing thermal screening, cleaning and sanitization of the premises and installation of Arogya Setu App, shall remain in force and shall be followed scrupulously.

10. The staff canteen within the High Court premises shall remain closed except for serving tea/coffee only.
11. Number of staff of the particular Department of Registry to be called for duty shall be decided by the Registrar General for smooth and efficient functioning of the Virtual Courts, Judicial Branches and all administrative work. The staff not being called on duty shall not leave the headquarter and shall be ready to report to duty immediately as and when called for and shall also be available on phone and zoom link if need arises.

BY ORDER OF THE HON'BLE THE CHIEF JUSTICE

Rscw
**REGISTRAR GENERAL
HIGH COURT OF GUJARAT**

HIGH COURT OF GUJARAT

CIRCULAR

The Honourable Chief Justice has issued the following order to deal with the present crisis:

Considering the gravity of situation prevailing not only in the State of Gujarat but also in the entire nation, after due consultation with Honourable Members of the Standing Committee, learned Advocate General, learned Public Prosecutor, learned Government Pleader, learned Assistant Solicitor General and the President of the Gujarat High Court Advocates' Association, it has been decided to take up all extremely urgent matters, both on the civil and criminal side, in continuation of the previous orders issued, to be by Video Conferencing. This will be effective with effect from Monday, the 23rd March, 2020. The matters already fixed by the respective Courts for Monday, 23rd March, 2020 will be taken up by the newly assigned Division Bench and the learned Single Judge in their physical form in their respective Courts. No fresh filing in physical form will be accepted from Monday, 23rd March, 2020. However, the matters which have already been presented in the Registry, and in which mention for urgency is accepted during this crisis period, no soft copy would be required. The arguments thereof, however, will be through video conferencing only. The matters in which mention for being urgent, made before the assigned Benches on Monday, 23rd March, 2020 and accepted for being taken up on the same day, may be in the physical form. The modalities for submitting soft copies of the petition and connectivity by way of Video Conferencing are provided in detail in the attached methodology. This will curtail the movement of judges, lawyers, staff of the High Court as also the staff of the lawyers and the litigants. The Honourable Judges will work from their respective chambers whereas others will be able to work from home or their office.

One Division Bench for all civil & criminal matters and one Single Judge Bench for all civil & criminal matters would be nominated by the

Chief Justice for the said purpose. The Benches may change from day to day or remain the same as the Chief Justice may deem fit.

Matters where judgment is to be pronounced, would be notified through SMS & Email to the respective lawyers appearing in the matters and a link of Zoom Cloud Meeting would be sent indicating the time also so that respective lawyers may get connected and hear the pronouncement.

The above measures are being taken only for the period of the crisis presently prevailing. As soon as, normal functioning starts, the above system will cease.

sd/-

Date: 22.03.2020

REGISTRAR GENERAL

HIGH COURT OF GUJARAT

METHODOLOGY FOR e-FILING AND VIDEO CONFERENCING

22-03-2020

1) e-FILING:

- a) The complete petition in soft copy (scanned PDF format) filed through advocate, may be sent from registered email address of the advocate to **efiling.gujhc@gmail.com** one day in advance. Further, soft copies of the same may be sent to the Government Pleaders / Public Prosecutors Office at the following address **efiling.gujhcgp@gmail.com** for *civil matters*, **efiling.gujhcgp@gmail.com** for *criminal matters*, and **efiling.gujhcasg@gmail.com** for matters relating to *Central Government* respectively. A brief note explaining the extreme urgency would also accompany the petition. If urgency is considered favourably by the concerned Bench, necessary intimation of listing date and time will be informed to the petitioner/advocate.
- b) Payment of Court Fees and filing of affidavit by petitioner, as of now, are optional but the same will have to be furnished once the normal working of the High Court is restored.
- c) All pages of the petition would be signed by the petitioner / authorised agent and also by the lawyer before being scanned. Annexures 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

would have to 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.

- d) The reply, civil application, miscellaneous civil application, if any, to be filed during this period, shall also be filed as per the method given for e-filing of petition.

2) Video Conferencing:

- a) On receipt of the SMS and on clicking on **Zoom Cloud Meeting** link, any device will be able to connect to the Video Meeting/Call initiated from the Court for that matter. As the link will be sent to only the registered advocates representing the parties in the matter or parties in case appearing in person, it is expected that only the advocates/party-in-person will join the meeting/call to participate in the hearing of the matter. If such a link is forwarded to another advocate (Senior Counsel etc.), the meeting can be joined by him/her also. The advocate / party-in-person will ensure that the link is not forwarded to any other advocate/person not connected with the matter.

b) In the above said video call platform, which is available for Desktop based platform as well as mobile/tablet device based platform, there is a facility of initiating a New Call/Meeting simultaneously generating a link of that particular Call/Meeting. The IT Cell has already developed the mechanism of transmitting an SMS message to the mobile numbers of the registered advocates appearing in the matter, wherein the said link can be sent for the matter to be taken up along with hearing schedule.

c) There would not be any requirement of any further user details being sought from the advocates/parties for ensuring the Zoom Calls access by them. The only requirement for advocates/parties would be that they should have **Zoom Cloud Meeting App** installed in any of their mobile/tablet devices (Android/iOS) or their Desktops with Windows/MacOS/Linux OS; with a Zoom Cloud Meeting user ID logged in.

HIGH COURT OF GUJARAT

CIRCULAR

Date: 15-05-2020

As directed by Honourable Chief Justice, this is to inform all concerned that, it has been observed in a number of videoconferencing hearing sessions being conducted before the Honourable Judges of this court that some of the learned advocates / learned senior advocates, while joining the video conferencing sessions, do not have their actual correct full name as displayname on the screen while joining the sessions. Many a times, the name displayed is either some username or just the first name without surname, or 'Admin' or some abstract display name which might have been used for joining Zoom session for some other purpose from the same device. This creates hardships for both, the court as well as the learned advocates, as it becomes difficult to identify who is intending to join the video conferencing hearing session.

In view of the above the undersigned is directed to further state that, if the display name of a participant intending to join VC hearing session does not display full proper name of the learned advocate / learned senior advocate, such participant will not be henceforth allowed entry in the VC hearing session.

It is therefore requested to all the learned advocates / learned senior advocates to ensure the display of full correct name while joining the Zoom VC hearing session.

As per directions of Honourable the Chief Justice,

Date: 15-05-2020


REGISTRAR GENERAL

HIGH COURT OF GUJARAT

CIRCULAR

Date: 15-08-2020

Exclusive Counters for Physical Filing of Cases in the High Court

Filing of cases through email to designated email addresses is functional for High Court of Gujarat since 22-03-2020. e-Filing of 2 Civil and 5 Criminal Case types is also being started from today as per details given in the separate circular issued today. In addition to the above, Honourable the Chief Justice of High Court of Gujarat, Mr. Justice Vikram Nath has been pleased to issue directions to start 5 exclusive counters near Gate No. 2 of the High Court premises for physical filing. The point wise instructions for the same are as follows:

1. The 5 exclusive Counters for physical filing of cases are earmarked as follows:

Counter No.	Civil/Criminal	Category of matters to be filed
Counter 1	Criminal	All Single Judge and Division Bench Bail matters including regular, temporary, anticipatory bail and parole, furlough
Counter 2	Criminal	All Single Judge and Division Bench Criminal Matters other than Bail matters specified for Counter 1
Counter 3	Civil	All Division Bench Civil Matters
Counter 4	Civil	All Special Civil Applications and matters under Article 227 of the Constitution (Single Judge)
Counter 5	Civil	All other Civil Matters (Single Judge)

2. The timings of physical filing will be from 11.00 am to 02.00 pm on all working days.
3. Payment of Court Fees and filing of affidavit by petitioner, as of now, are optional but the same will have to be furnished once the normal working of the High Court is restored.
4. The pleadings/documents should be delivered in a sealed envelope with the Name and Advocate Code Number of the Ld. Advocate filing it, Category (Case Type) of the case and the Index of documents placed in the envelope, clearly written or typed outside the envelope.
5. The envelopes delivered will be kept untouched and unprocessed for at least 24 hours and thereafter it will be forwarded to the concerned section for filing in the CIS.
6. All Ld. Advocates are requested to take extra care to ensure that all requisite documents are there in the envelope in order to avoid any delays in further process of registration of cases.
7. Only those Ld. Advocates or their registered clerks who have to deliver the case files will be allowed to enter from Gate No.2 upto these Counters and no one without mask will be permitted to enter.
8. The entry will be permitted following the protocol and precautions for social distancing.
9. All Officers and members of the Staff dealing with these case files must wear masks and gloves.

Sd/-

REGISTRAR GENERAL

GUJARAT HIGH COURT
IT CELL

Date: 23-09-2020

Subject: VC Hearing Link sent to Ld. Advocates in advance through
email - On experimental basis for tomorrow

To meet with any situation of failure or delay in delivery of SMS of VC Hearing links sent to Ld. Advocates, as guided and directed by Honourable the Chief Justice, on trial basis for matters listed tomorrow, the VC hearing links have been shared in email to Ld. Advocates. The links are embedded as hyperlinks in the 1st page of the PDF attachment sent with email as follows:

CAUSELIST OF LEARNED ADVOCATE
[REDACTED]
FOR THE DATE : 24/09/2020

SUMMARY OF CAUSELIST				
SR. NO	CORAM	NO. OF MAIN MATER	NO. OF IA	TOTAL
1	[REDACTED] (VC Hearing Link)	2	0	2
2	[REDACTED] (VC Hearing Link)	1	0	1
3	[REDACTED] (VC Hearing Link)	3	2	5

On clicking on these links, the system [Computer/Mobile/Tablet etc.] will redirect to join the Zoom meeting session. The Court Master would admit the participant from the Waiting Room, as and when the matter of the particular Ld. Advocate is taken up.

This is being tried purely on experimental basis for matters listed on 24/09/2020 and its continuance will be subject to further directions.

REGISTRAR (SCMS & ICT)

GUJARAT HIGH COURT

PRESS NOTE

NEW DISPLAY BOARD OF GUJARAT HIGH COURT TO BE LIVE STREAMED ON YOUTUBE

Date: 08-01-2021

As per the vision, guidance and directions of Honourable the Chief Justice Mr. Justice Vikram Nath, a new Display Board of High Court of Gujarat has been developed for being made available through Gujarat High Court Youtube channel during Court hours.

This additional Display Board on live streaming platform, has been developed specifically with a view to avoiding hardships faced by Ld. Advocates when, the regular Display Board faces downtime / interruptions for any untoward circumstances e.g. Data Centre server down time or connectivity problems etc. This new Display Board, being on public live streaming platform, is expected to ensure optimum uptime and would serve the purpose even when the website is inaccessible for any reasons.

New features for easier and quicker identification of Benches and matter details have been introduced in this additional Display Board. This new Display Board, will be available only upto Court hours for the day. Although, during the live time of the Display Board, viewer can rewind it to see any update if missed.

The new Display Board Live on Youtube can be viewed from the High Court Youtube Channel at <https://www.youtube.com/c/GujaratHighCourtLive>. It can be best viewed on video quality 480p and above.

Sd/-

REGISTRAR GENERAL

C I R C U L A R

NO.C. 2605/2020

In the light of the Circular dated 13.05.2020 issued by the Honourable Supreme Court of India and Administrative order dated 14.05.2020 passed by the Bar Council of India as a precautionary measure to contain spread of Corona Virus (COVID-19) infection under the prevailing conditions, it is hereby notified that the **advocates may wear “plain white-shirt/white-salwar-kameez/ white saree, with a plain- white neck band”** during the hearings before High Court of Gujarat and Subordinate Courts in the State till medical exigencies exist or until further orders.

The above directions shall come into force with immediate effect.

**High Court of Gujarat, at Sola,
Ahmedabad-380060.**

Date. May 15, 2020.

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R.K.
(R.K.Desai)

REGISTRAR GENERAL

No.C.2605/2020

Copy forwarded with compliments, for information to:-

1. The Secretary to the Government of Gujarat, Legal Department, Sachivalaya, Gandhinagar (by letter).
2. The Advocate General, High Court of Gujarat, Ahmedabad (by letter).
3. The Government Pleader, High Court of Gujarat, Ahmedabad (by letter).
4. The President, Gujarat High Court Advocates' Association, Ahmedabad (by letter).
5. The Secretary, Bar Council of Gujarat, Ahmedabad (by letter).

Copy forwarded through e-mail:

7. The Principal Judge, City Civil Court, Ahmedabad.
8. The Principal Judge, Family Court, _____.
9. The Principal District Judge, _____.
10. The Chief Judge, Small Causes Court, Ahmedabad.
11. The Chief Metropolitan Magistrate, Ahmedabad.
12. The President, Industrial Court, Ahmedabad.

**HIGH COURT OF GUJARAT,
SOLA, AHMEDABAD-380060.**

Date: May 15, 2020

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JITZ

DEPUTY REGISTRAR