

**HIGH COURT OF GUJARAT**

**CIRCULAR**

**No. 2/RG-C**

Date: 09/01/2022

**Subject: Guidelines for filing of cases in the Courts of District  
Judiciary, during virtual working of the Courts**

In continuation of the Circular issued by the High Court dtd. 07/01/2022, as regards the virtual function of the District Judiciary, Hon'ble the Chief Justice, in consultation with the S.O.P. Committee, has been pleased to pass following directions as to the filing of cases, w.e.f 10/01/2022:

**1. Physical Filing and Registration:**

- a. The Principal District Judge or Principal Judicial Officer shall identify and earmark a dedicated room at the entry point of the Court Campus/Building for filing of cases. Where such a dedicated room is not feasible at the entry point of the Court Complex, an alternative arrangement shall be made at appropriate place in the Court Complex, and the special filing counters shall be set up accordingly, to facilitate filing of cases while maintaining social distancing.
- b. The dedicated room should be properly ventilated and isolated from other Court/Branches and should contain a window, through which the advocate/litigant can submit the case file.
- c. The timings of physical filing at the dedicated room shall be from 11.00 a.m. to 2.00 p.m.
- d. The Principal District Judge or the Principal Judicial Officer, as the case may be, shall depute such number of staff at the dedicated room depending on the work load. The court staff deputed at the dedicated room, handling the filing counter,

should take all precautions like wearing masks, shields, gloves and shall use sanitiser, at regular intervals.

- e. The advocate/litigants shall provide their mobile number/email ID and address while filing the case along with the case papers.
- f. The cases filed at the dedicated room may be examined and registered at the same place, if possible.
- g. In case the examination and registration is not possible at the dedicated room, the case papers be forwarded to the regular filing centre, where the case shall be examined and registered. Thereafter, the case shall be processed according to the case type.

## **2. Procedure in case of Urgent Hearing:**

- a. In case the advocate/litigant is desirous of obtaining urgent orders in a fresh case or in any pending matters, he/she may file a note specifying the urgency.
- b. The staff deputed at the dedicated room shall immediately place the urgent note along with the case papers before the concerned Judicial Officer, who shall in turn examine the urgent note and pass appropriate orders allowing or refusing the request for urgent hearing.
- c. The order passed on the urgent note shall be communicated to the concerned Advocate without any delay.
- d. In the event of request for urgent hearing being granted by the concerned Judicial Officer, the date and time shall be fixed for the hearing and the same shall be communicated to the concerned Advocate / litigant. ZOOM VC link for such hearing shall be shared with the concerned Advocate / litigant.
- e. The Advocate/litigant having issues with respect to connectivity, infrastructure and means to use video-conferencing, may be

provided the facility of a video-conferencing room to be arranged in the Court Complex.

- f. The order passed on such hearing should be uploaded in CIS so as to make it available on NJDG.

**3. Procedure in case of first production of an accused from police custody :**

- a. In substitution to clause 6 existing in Circular dated 07.01.2022, it is substituted as under:

6A (i) In case of accused being produced before a Magistrate after first production, the judicial custody or the police custody may be extended through Video Conference.

6A (ii) The District Judge or the Principal Judicial officer, as the case may be, shall ensure for making arrangements to designate one or two Courts as “Remand Court”, depending upon the exigencies for production of an accused from the police custody for first remand.

- b. The Designated Court shall ensure that only one police officer is allowed along with the accused. The said Court should also ensure that minimum required staff are present in the court for conducting the proceedings. The Designated Court should also ensure that only one Public Prosecutor is present in the court for conducting the proceedings.
- c. The application for police remand or extension of police remand shall be decided by the Designated Court only.
- d. In the event that the Investigating Officer does not pray for police remand, or, that the Designated Court rejects the prayer for police remand, the application for bail filed, if any, shall be decided by the Jurisdictional Court.

- e. Where the accused has preferred bail application on the day of first production before the Court, the Designated Court shall wait for the decision of the bail application by the Jurisdictional Court.
- f. In case the Jurisdictional Court rejects or adjourns the bail application, the Designated Court shall pass further orders in accordance with law.
- g. Where the bail application is granted by the Jurisdictional Court on the day of production itself, the accused shall be released accordingly.

**4. Procedure for filing Bail Application in case of first production of an accused from police custody:**

- a. The bail application shall be tendered at the filing counter. The staff deputed at the filing counter shall sanitise the papers immediately and forward the same to the Jurisdictional Court.
- b. Where the Jurisdictional Court adjourns or rejects the bail application of the accused, the Jurisdictional Court shall forthwith intimate the said fact to the Designated Court before whom accused has been produced to enable the Designated Court to pass further orders in accordance with law.
- c. In case of bail application being granted by the Jurisdictional Court, the surety papers shall be tendered at the filing counter and the same shall be sanitised and forwarded to the concerned Jurisdictional Court for taking steps in accordance with law.
- d. For the purpose of verification and examination of the surety by the concerned Jurisdictional Court, the modalities of Court Provided Virtual Hearing Facility at the Video conferencing booth be availed.

**5. Email Filing :**

- a. E-mail filing shall be allowed for all categories of cases. Hard copies of the case filed along with all papers will have to be submitted to the Court at the designated counters within 3 days of email filing.
- b. Note for seeking urgent hearing can also be filed through email filing following the procedure as given in Clause 2 above.
- c. E-mail address for email filing for each of the concerned Court Establishments of the District, including the Family Courts; shall be notified on the District Court website of the respective District by the Principal District Judge concerned on <https://districts.ecourts.gov.in/>.
- d. Directions issued vide email dtd. 11/04/2020 and 15/04/2020 with regard to the use of email address for email filing or matters and use of Zoom VC application for virtual hearing be followed by the Principal District Judges.

**BY ORDER OF HONOURABLE THE CHIEF JUSTICE**

  
**REGISTRAR GENERAL  
HIGH COURT OF GUJARAT**