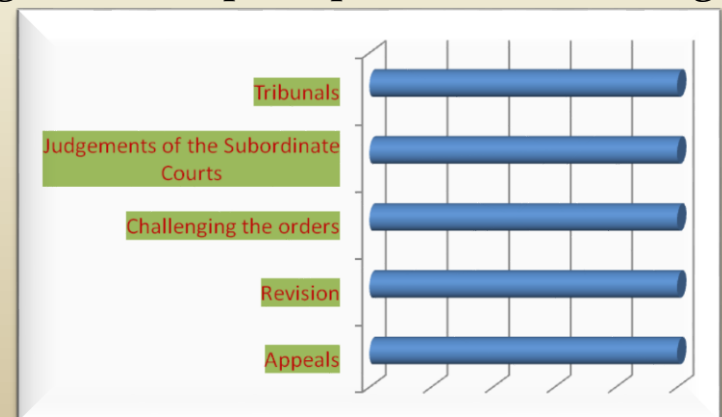


PRACTICE AND PROCEDURE OF IN MANIPUR

The High Court of Manipur is in the process of drafting our own rule. As of now, the practice and procedure of Guahati High Court and its subordinate courts are being followed with slight modification as mandated under proviso to Section 28 E of the North Eastern Area (Reorganisation and Other Related Law) Amendment Act, 2012.

High Court:

- Cases in the High Court are being filed in approximately 85 nomenclatures
 - Writ Petitions concerning service matters, PIL, Compensation Matters, Land Acquisition Matters, Contract/Tender Matters, Autonomous District Council Disputes, Election Petitions, Village Chiefship Disputes etc. covering almost 90% of the case volume.
 - NSA Cases
 - Anticipatory Bails
 - RFA / MFA / Criminal Revisions etc.
 - Contempt Cases



High Court

Days	Process Detail
Monday	Motion and Admission
Tuesday	Hearing
Wednesday	Motion and Admission
Thursday	Hearing
Friday	Motion and Admission

- Urgent matters are mentioned before the Chief Justice and listed in appropriate Courts as per direction.
- Mentioning in r/o listed matters be made before the respective benches where the cases is listed .
- Matters filed and registered on or before 3:00 p.m. are normally listed on the next day, except for Tuesday & Thursday.

High Court

- **Locus Standi:** Writ Petitions/Habeas Corpus (particularly NSA Cases)/ Anticipatory Bails can be filed by near relatives of the aggrieved party/detenuue.
- For Writ Appeals, the following documents are to be annexed along with the memorandum of appeal
 - Certified Copy of Judgement from which the Writ Appeal has arisen
 - Authenticated Copy of Civil Rule / Writ Petition with relevant annexure
 - Copy of Affidavit in opposition
 - Counter Affidavit
 - All other relevant papers filed by the party concern in Civil Rule / Writ Petition stage
-(Chapter 5 A Rule 2 (4) of Gauhati High Court Rules)
- Counter Affidavit to be filed within 14 days from the date of service of notice, failing which the same cannot be filed except with leave of the Court.
- Any Affidavit / Rejoinder in reply be filed within 7 days from the date of service of Counter Affidavit. Filing after the said period be done only with leave of the Court.
-(Chapter 5 A Rule 4 (ii) of Gauhati High Court Rules)

High Court

- Provision for execution of order for realization of costs awarded in Writ Petitions other than the Writs in the nature of Habeas Corpus is available under rules. *-(Chapter 5 A Rule 12 & 13 of Gauhati High Court Rules)*
- Cognizance can be taken in contempt cases even on receipt of any publications, applications or letters of intimation by post or otherwise *-(Appendix 7 Rule No 5(2) of Gauhati High Court Rules)*
- Where there are large number of respondents, the practitioners are permitted in appropriate cases to serve them by means of substituted service without resorting to the normal process of the service.
- Issue of e-cause list through Indian Court Portal. Hard copy cause list issued only for official purpose.
- All judgements are uploaded promptly in the High Court website – www.hcmimphal.nic.in for public.

- Making an endeavour to upload all daily orders to be available for public on daily basis
- Number of *suo motu* PIL taken up by High Court = 5 (five)
- The cases more than 5 yrs old are given priority.

Some of the peculiar practice and procedure followed by the High Court of Manipur may be as follows:

- Frequent use of *dasti service* in urgent cases
- Email service started in the High Court
- High Court is the Centralised Agency for Recruitment, Transfer and Posting of all Subordinate Courts.
- All cadres of Subordinate Courts of Manipur are governed by one common RR and are under common State Cadre.

Subordinate Courts:

Some of the peculiar practice and procedure followed in the Subordinate Courts are as follows:

- Deduction of monthly maintenance amount directly from the account of the salaried respondent (husband), thereby crediting the same to the account of the petitioned (wife)
- Compulsory signature by parties present on the side of the order sheet whenever a case is put before the court as proof of appearance.
- Speedy disposal of adoption cases in 3 sittings – the first sitting being motion day, the second sitting being presentation of evidence and the third sitting for passing of order, in strict compliance of the directives of the Hon'ble Apex Court and the guidelines of CARA.

- Speedy disposal of cases in matters relating to appointment of guardian under Guardian and Wards Act and Mental Health Act and Adoption under Juvenile Justice Act and endeavour is made to dispose of the case within one month normally in 3(three) sittings. Disability certificate/medical certificate issued by State Medical Board is considered as “**public document** “and doctors certifying the same are not burdened to appear as witness to prove such certificate.

*Thank
you*

