

THE HIGH COURT OF ORISSA: CUTTACK

O R D E R

DATED THE 21ST AUGUST, 2020

Pursuant to the resolution of the Full Court of the Hon'ble High Court, it is hereby notified that the High Court shall have restricted functioning by virtual mode/video conferencing upto 16.09.2020 as per the roster assigned by Hon'ble the Chief Justice. Hearing of cases however shall take place as per notification dated 2.8.2020 of Hon'ble Court, both of old hearing matters listed by the Registry as well as fresh urgent matters on advance memo submitted by learned advocates/litigants to the Deputy Registrar (Judicial) by e-filing mode/e-mail/drop box with advance intimation to the opposite parties, on the web-link provided to the concerned advocates/litigants, who may appear from their residence or offices. Filing of new cases/counter affidavit etc. shall be permitted only by e-filing mode or email or drop box.

Further, with a view to provide clear guidelines for functioning of the Subordinate Courts and Tribunals of the State and in supersession of all previous resolutions on the subject, it is notified as under:-

- (i) that the Subordinate Courts and Tribunals in the State shall function during usual official timings during working days, except at places where lockdown/shutdown is imposed or containment zone declared by the competent authority.
- (ii) working of the subordinate courts/Tribunals in the State shall remain suspended in areas where containment zone has been declared by the competent authority.
- (iii) that the Subordinate Courts/Tribunals in the State, where there is no shutdown/lockdown, shall, as far as possible, resume normal functioning during court hours by virtual mode/video conferencing.

- (iv) If hearing in a particular court is not possible by virtual mode due to lack of proper internet connectivity or any other technical reason or in areas where there are no Covid restrictions in place, physical hearing in Courts at such places may be permitted with all precautions, by strictly adhering to the norms of social distancing, wearing of mask and avoiding large congregation.
- (v) that the Subordinate Courts and Tribunals shall take up all kind of cases, especially those pertaining to UTP, trial of civil cases, for recording of evidence and other old matters etc. Physical presence of the parties shall not be insisted unless the same is unavoidable. The Courts however shall avoid passing any adverse order for reason of absence of parties, any advocate, accused or witnesses.
- (vi) that production of the accused before the court may be, unless specifically directed otherwise for any reason, accepted by video conferencing. But the accused shall be required to be produced before the Magistrate for remand in the first instance. However, subsequent remand may be granted by Video Conferencing.
- (vii) that the advocates of all the parties shall be persuaded to participate in the proceedings of all type of cases, especially UTP matters, old suits, appeals, revisions and matrimonial and family disputes and shall be encouraged to file written arguments in advance, so as to minimize the time of hearing.
- (viii) that the cause lists, orders passed by the courts and next date of the cases, shall be uploaded on the website of the District Courts concerned at the earliest.
- (ix) that if the competent authority declares lockdown/shutdown in any part of the State, the District Judge concerned shall in such area restrict functioning

of the court to take up only urgent matters under intimation to the Hon'ble High Court.

- (x) that the Registry of the Hon'ble High Court shall separately issue detailed guidelines containing modalities for working of the subordinate courts and the Tribunals vis-à-vis National Directives for COVID-19 Management and guidelines issued by the State Government, with the approval of the Hon'ble the Chief Justice.

BY ORDER,


21.08.2020

REGISTRAR GENERAL

Memo No. 7742 (100) / Dtd. 21.08.2020

Copy forwarded to:-

1. All Officers of the Court
2. The Addl. Registrar –cum-Principal Secretary to Hon'ble the Chief Justice
3. All Sr. Secretaries/ Secretaries to the Hon'ble Judges of the Court
4. All Superintendents of the Court
5. The Technical Director, NIC, OHC for uploading in the Orissa High Court website.
6. The Medical officer of the Court

for information and necessary action.


21.08.2020

SPECIAL OFFICER (SPL. CELL)

Memo No. 7743 (70) / Dtd. 21.08.2020

Copy forwarded to the -

1. Secretary General, Hon'ble Supreme Court of India, New Delhi
2. Registrar General, All the Hon'ble High Courts
3. Chief Secretary to Govt. of Odisha, Bhubaneswar
4. Advocate General, Odisha, Cuttack
5. Principal Secretary to Govt. of Odisha, Home Department, Bhubaneswar

6. Principal Secretary to Govt. of Odisha, Finance Department, Bhubaneswar
7. Principal Secretary to Govt. of Odisha, Law Department, Bhubaneswar
8. Principal Secretary to Govt. of Odisha, Health & Family Welfare Deptt., Bhubaneswar
9. Director, Odisha Judicial Academy, Cuttack
10. Member Secretary, Odisha State Legal Services Authority, Cuttack
11. District & Sessions Judges.....(All) of the State
12. President, Orissa High Court Bar Association, Cuttack
13. Commissioner of Police, Police Commissionerate, Bhubaneswar
14. Deputy Commissioner of Police, Cuttack

for information and necessary action.


21.08.2020

SPECIAL OFFICER (SPL. CELL)

Memo No. 7744(8) / Dtd. 21.08.2020

Copy forwarded to the -

1. The Presiding Officer, Industrial Tribunal, Bhubaneswar/Rourkela
2. The Presiding Officer, Cooperative Tribunal, Bhubaneswar
3. The Presiding Officer, Education Tribunal, Bhubaneswar
4. The Chairman, Sales Tax Tribunal, Cuttack
5. The Member, 2nd MACT, Cuttack/Sambalpur/Berhampur

for information and necessary action.


21.08.2020

SPECIAL OFFICER (SPL. CELL)