

**PART VI**  
**CHAPTER XXVII**

**Special Rules**

1. In this Chapter 'case' includes appeal, application and petition.
2. The District and Sessions Judges of Ganjam-Baudh, Sambalpur-Sundargarh, Balangir Kalahandi and Mayurbhanj, Keonjhar who are ex officio Registers of the Court in respect of the merged State areas within their respective jurisdiction shall exercise the duties and powers enumerated in rule – 4 infra.
3. Persons of the merged States area within the jurisdiction of the ex officio Registrar may, at their option, institute cases before the ex officio Registrar who may exercise or perform all the powers specified in these rules.
4. The duties and powers of ex officio Registrar are –
  - (i) To receive an appeal from the decree or order of a Subordinate Civil Court, or an application under section 115 of Code of Civil Procedure or under Section 25 of the Provincial small cause Court Act.
  - (ii) To dispose of all matters relating to Court-fees, or to the service or notice of other processes in respect of cases before him.
  - (iii) To receive and dispose of an application under Order XXII, Rules 2,3,4 or 10 and to amend the record, if necessary.
  - (iv) To appoint or discharge a next friend or guardian and ad litem of a minor or person of unsound mind and to amend the record accordingly.
  - (v) To receive and dispose of an application under Chapter VI, Rules 2 to 7 and to amend the record if necessary.
  - (vi) To receive an application for the withdrawal of an appeal or a consent decree or order.
  - (vii) To receive and dispose of an application under Order XLI, Rules 5,6,8 and 10, pending for orders of the Court.
  - (viii) To require any memorandum of appeal, petition application or other proceeding before him to be amended in accordance with the procedure or practice of the Court.
  - (ix) To call for records from Subordinate Court.
  - (x) To dispose of requisitions by Subordinate Courts for records and documents in respect of cases before him.

- (xi) To require any person or party to file an affidavit with respect to any application or matter in respect of which he has power to exercise any discretion or to make any order.
- (xii) To give leave to search the records of the Court under the rules in that behalf.
- (xiii) To dispose of all applications for copies of records whether presented by parties or by persons who are not parties to the proceedings to which such records relate.
- (xiv) To dispense with at his discretion the production of more than one copy of the judgment, when two or more cases are tried together and decided by the same judgment and two or more appeals are filed against such judgment either by the same or different appellants, if he is satisfied that the questions for decision are analogous in each appeal.
- (xv) To allow time at his discretion for production of the copies of judgments when an appeal or application is not accompanied by the necessary copies of judgments. If copies are not produced within the time allowed, the appeal or application shall be laid before the Court for orders.
- (xvi) To admit applications under Order XXII, Rule 9, Civil Procedure Code and issue notices ;

Provided that the ex officio Registrar may refer any matter under this rule to the Court for orders.

5. If upon an appeal or application filed before the ex officio Registrar, which either directly or indirectly challenges a decree, order or sentence passed by him, the appellant or applicant desires that proceedings be stayed, the ex officio Registrar may either (1) stay proceedings including proceedings taken or to be taken for realization of a fine, or (2) refuse the request for stay of such proceedings, in which he shall, if the appellant or applicant so desires, transmit the papers to the High Court for orders.
6. The ex officio Registrar shall be the Taxing Officer of the Court and the Sheristadar of the District Judge's Court shall be the ex officio Stamp Reporter and the Registrar, Civil Court shall be the Commissioner of affidavits for all cases filed before the ex officio Registrar.
7. During the absence of the ex officio Registrar any memorandum of appeal of application which is ordinarily required to be presented to the ex officio Registrar may be presented to the Registrar, Civil Courts, All memorandum of appeals and applications so received during the absence of the ex officio Registrar shall be submitted for orders to the ex officio Registrar on the next day when he sits in Court.
8. The ex officio Registrar shall, as soon as the case is made ready for admission transmit the file to the High Court.