

The 18th March, 2014.

RULES OF HIGH COURT OF MEGHALAYA 2013

PART II

CHAPTER – VII

APPLICATIONS UNDER ARTICLE 227(1) OF THE CONSTITUTION OF INDIA

No.HCM.II/430/2013/734.

1. Applications under Article 227(1) – How to be moved – (a) An application under Article 227 (1) of the Constitution of India shall comply as far as may be, with the provisions of Chapters III, IV and VI of these Rules of the High Court and shall also state clearly -

(i) the name, description and place of residence of each applicant and of the opposite parties;

(ii) the name of the Court and Judge by whom the decree or order objected to, was passed;

(iii) the date or dates of the decrees or orders of the lower Courts;

(iv) the nature of the relief and the direction or order sought from the Courts;

(v) the grounds on which the relief is sought and also such material facts as may be necessary for the proper determination of the case;

(vi) where a previous application has been made on the same facts, the applicant shall give all details thereof and shall also indicate the decision thereon.

(b) The application shall be accompanied by the order of decision (if any) complained of and on affidavit verifying the facts relief on.

2. Civil Revision Petition – Such applications shall be registered as Civil Revision Petition (C.R.P). Art.227).

3. To be heard by Single Judge – Such petition shall be heard by a Single Bench. However, the Presiding Judge of the Single Bench may refer the matter to a Division Bench if the matter involves substantial question of law or if he thinks that it is just as expedient to be disposed of by the larger Bench.

4. Admission/Motion hearing – The application shall be laid before the appropriate Bench as early as possible for Motion hearing of which notice shall be given to the applicant or his agent or counsel.

5. Lower Court Record not to be summoned ordinarily – (a) No records of a case or proceeding in possession of any Court over which superintendence is claimed shall be requisitioned except in exceptional circumstances ordered by the Court either of its own motion or upon an application made by any of the parties to the application.

(b) Every application made under Rule 5(a) shall (unless the Court otherwise directs) be supported by an affidavit showing how the record is material to the case in which the application is made, and that the applications cannot without reasonable delay or expenses obtain a duly authenticated copy of the record or of such portion thereof as the applicant requires, or that the production of the original is necessary in the interest of justice.

6. Applications to be decided on Affidavits – (a) All questions of facts arising for determination under this Part shall be decided ordinarily upon affidavits, but the Court may direct that such other evidence be taken as it may deem fit.

(b) Where the Court orders that certain matters in controversy between the parties shall be decided on oral evidence, it may either itself record the evidence or may direct any Court or a Commissioner appointed for the purpose to record it in accordance with the procedure prescribed by law.

7. Interim Stay – The Court, while granting any interim relief or stay, may impose such terms and conditions including deposit of cost as it thinks fit.

8. Direction of Costs etc – The Court may in its discretion either before the opposite party is called upon to appear and answer or afterwards on the application of the opposite party demand from the applicant security in cash for the costs of the applications.

9. Deposition of Costs etc – In the absence of any special direction in the judgment such security shall be deposited in, and withdrawn from the accounts department of this Court.

10. Refund of Costs etc – At the conclusion of each case, the Court shall pass such orders for the refund or disposal of the security in deposit as it may consider necessary. When the Court fails to make an order, the party claiming to be entitled to the refund or payment shall make a stamped application for the purpose and it shall be laid before the Court for orders in motion.

CHAPTER – VIII**RECORDS****PRESERVATION AND DESTRUCTION OF CIVIL AND CRIMINAL RECORDS**

1. **Two parts of Record of a case** – Every record, unless otherwise provided, shall consist of two parts to be styled, respectively, Parts I and II. These two parts shall be maintained separately in stiff covers in the prescribed forms, the cover provided for Part I being coloured white and that for Part II being coloured blue.

2. **When Part II can be destroyed** – Part I shall be preserved for ever and Part II for three years, after expiry of which it shall be destroyed.

3. **Classification of Papers** – The distribution of the papers to the appropriate parts (Part I and II) of the record shall in all cases be made in the office before the record is deposited in the Record Room.

4. **When period to start for calculating Weeding date** – The period of three years mentioned in Rule 2 above shall be calculated from the date of final decree or order which, in cases of appeal to the Supreme Court will be that of the decree or order of that Court.

5. **Bound copies and Unbound copies** – All copies of Paper Books (both bound and unbound) in excess of the number to be preserved permanently in Part I of the High Court records as directed in these Rules, shall be kept separate from the records to which they relate and be destroyed on the expiry of the period prescribed for their preservation as under –

(i) **Bound copies** – All surplus copies of these in Civil Appeals and Death Reference Cases shall be preserved for three years from the date of the decree or order of the High Court or in cases appealed to the Supreme Court, as many copies of the paper book as may be available, shall be preserved for three years from the date of final decree or order of that Court for sale or use in any subsequent appeal, or for any other purpose authorized by the Registrar General during the period.

(ii) **Unbound copies** – All such copies as may have been printed for use in the cases of an appeal to the Supreme Court shall be preserved for two years from the date of the final decree or order of the High Court.

Note – In the case of an appeal to the High Court against preliminary decree the unbound copies shall be preserved for five years.

(iii) Destruction of the surplus copies of bound and unbound copies of paper book shall, as provided in Sub Rule (i) and (ii) of this Rule, be duly undertaken without any reference to litigants or advocates concerned, provided, however, that where such litigants apply to the Registrar General through their advocates for the return of such copies, the same shall be returned to such advocates; provided that the application for return is made at least one calendar month before the expiry of the period prescribed for their preservation. No notice to take back such copies will be issued from the High Court.

CIVIL RECORDS

6. **Civil Records** – Part I of all civil records shall contain the following papers:

- (i) the order books;
- (ii) the memorandum of appeal;
- (iii) the copies of the judgment and decree filed with the memorandum of appeal and not inserted in the paper book of the case;
- (iv) the memorandum of cross objection (if any);
- (v) vakalatnamas;
- (vi) applications for substitution, addition or removal of parties, and the affidavits filed therewith;
- (vii) award or arbitrators or petitions of compromise, if given effect to in the decree, also in the case of minors or lunatics, the order of the court sanctioning the compromise;
- (viii) remand order of the court, if any;
- (ix) copy of the finding of the Lower Court upon remand, if any;
- (x) final judgment of the High Court;
- (xi) decree;
- (xii) applications for the return of documents when they have been rejected or on which special orders have been passed;
- (xiii) paper books, two copies, when printed, and one copy when not printed;

- (xiv) any paper the preservation of which may be directed by the Presiding Judge or Judges or by the Registrar General;
- (xv) orders of the Court other than those recorded on the order sheets; and
- (xvi) applications for review, and orders relating to such applications.

Part II shall contain all other papers.

Note (i) – Certified copies of the judgment and the decree of the High Court filed with the applications for leave to appeal to the Supreme Court shall be kept in Part II.

Note (ii) – Copies of the judgment and decree filed with the memorandum of appeal which, or the translation of which, have been inserted in the paper book, may, with the permission of the Registrar General, be returned to the party after the disposal of the appeal.

Note (iii) – Exhibited documents or any other paper not received with the Lower court's record but filed in the High Court under special orders should not be deposited in the record room but returned to the parties after the disposal of the case in which they were filed. If they are not taken back before the despatch of Lower Court's record, they should be sent to the Lower Court along with its record together with a copy of the order under which such papers were filed and with instructions to that Court to return the same when returning other documents to the parties.

Note (iv) – Papers which are to be preserved under the rules of this Chapter shall be repaired, where necessary, at the expenses of the Court; but documents which are filed by the parties in the High Court or are filed in the Lower Court and transmitted to the High Court and which are ultimately returned to them after the disposal of the case in which they are filed shall be repaired, if and when necessary, at the expense of the party filing such documents. An estimate of the cost of repairs shall be prepared and served on the advocate for the party and the amount due under the estimate shall be deposited with the Accountant of the Court within seven days from the date of service. All cases of default as regards the deposit shall be reported to the Registrar General.

7. Record of Civil Revision and Civil Reference cases – Rule 6 shall also apply mutatis mutandis, to the records of all Civil Revision cases and references.

CRIMINAL RECORDS

8. **Criminal Records** – Part I of the record in criminal appeals, revision cases, references and miscellaneous cases shall contain the following papers :

- (i) the order books;
- (ii) the judgment of the High Court;
- (iii) the memorandum of appeal (or petition for revision or letter of reference);
- (iv) vakalatnamas;
- (v) applications for the return of documents when they have been rejected or on which special orders have been passed;
- (vi) the judgment of the lower court;
- (vii) paper books, two copies when printed and one copy when not printed;
- (viii) any paper the preparation of which may be directed by the Presiding Judge or Judges or by the Registrar General; and
- (ix) orders of the Court other than those recorded on the paper sheets. Part II shall contain all other papers.

Note – Certified copies of orders or of judgment in criminal cases filed with applications for revision or memoranda of appeal which have been inserted in the paper books of such cases, may, with the permission of the Registrar General, be returned to the parties filing them after the disposal of cases.

9. **Record of Bail Applications** – Applications for bail and suspension of sentence and orders thereon which are treated as miscellaneous cases shall be preserved for three years from the date of the order.

REQUISITION FOR RECORDS UNDER ORDER XIII, RULE 10, CIVIL PROCEDURE CODE

10. **Requisition for Records under Order XIII Rule 10, Civil Procedure Code** – (a) Ordinarily certified copies are to be filed in respect of original papers, civil or criminal requisitioned at the instance of the parties, under Order XIII Rule 10 Civil Procedure Code, from Part I of a High Court Record. Such certified copies shall be returned with the original documents called for when the requisition is complied with. Certified copies may, however, be dispensed with in respect of (1) items (vi) and (xii) of Rule 6 of this Chapter, (2) item (v) of Rule I *ibid* and (3) provided the papers have been printed in the paper book of the case – item (ii) and (iv) of Rule 6 and item (iii) of Rule 8 *ibid*.

(b) In regard to papers of Part II of both Civil and Criminal Records, no certified copy need be demanded except under the orders of the Registrar General.

CHAPTER – IX

INSPECTION AND INFORMATION

1. **Movement of Record out of Court premises prohibited** :- No records of any case shall be removed from the Court building, except under an order in writing of a Judge, the Registrar General or the Deputy Registrar, or an Assistant Registrar:

Provided that if any Judge, the Registrar General, or other Gazetted Officer requires a record at his private residence, he may take charge of it.

2. **Inspection of record** :- Inspection of records shall only be allowed upon an application being made in the form prescribed for the purpose which will be obtainable from the forms Assistant at the rate prescribed.

3. **Application for inspection** :- Every application for inspection shall specify the record or paper of which inspection is desired and the name of the person or persons by whom the inspection will be made, and shall be accompanied where necessary, by the fee prescribed.

4. **Permission for inspection** :- No record or paper of any department shall be inspected by any person other than a Judge or an Officer of the Court, except upon an order in writing of a Judge, the Registrar General, or other Gazetted Officer;

Provided that a party appearing in person in an appeal or other proceeding, or an Advocate duly authorized by a party to a case, upon filing an application in the prescribed form; inspect a record in the Inspection Room without a formal order in writing obtained under this rule, in the presence of the Deputy Registrar or the Assistant Registrar of the Court or the Superintendent.

5. **Strangers not allowed to inspect record except as provided Under this rule or Under Right to Information Act 2005** :- A stranger to an appeal or other proceedings shall not be entitled as of right to inspect any record or document. He may, however, apply for an order to inspect such record or document; provided that he shall not be allowed to inspect exhibits put in evidence, except with the consent of the person by whom they were produced or his successor in interest. Every such application shall be in writing in the prescribed form (see R.2 above), shall specify the papers which it is desired to inspect, shall clearly state the reason for the inspection and shall be accompanied by the fee prescribed.

6. **Timings for receiving Inspection Applications** :- Every application for inspection shall be made between the hours of 10.45 a.m. and 3.30 p.m. on a Court day and between the hours of 11.00 a.m. and 1.00 p.m. on Saturdays.

7. Timings and place for inspection :- Inspection shall be allowed only in the inspection room and between the hours of 10.45 a.m. and 4.00 p.m. on Court days and between the hours of 11.00 a.m. and 1.00p.m. on Saturdays. The inspection may be made on any working day or days but must be completed within 10 days from the date of receipt of the record in the Inspection room.

Note (i) – Requisition for the record shall be made by the Inspection Assistant on the day the application is filed and the record shall, except for special reasons to be stated in writing be made available in the Inspection Room by the following day and in any case not later than the third day from the date of the application. If the requisition is not complied with within three days the matter shall be submitted with an explanation to the Officer in-charge for orders.

(ii) – This rule shall not apply to pending criminal cases inspection of which will be allowed in the criminal section Inspection Room.

8. Name of the of the person who can make inspection : - Every order by which inspection is allowed shall state the name of the person who may make such inspection.

9. How record to be sent for inspection from the Section : - Immediately upon receipt of an application for Inspection the Inspection Assistant shall send a requisition to the Superintendent of the Section in which the record of paper mentioned in the application is, and the latter upon being satisfied that the application is in order and that the person named therein is entitled under R.4, or has been allowed inspection under R.5 shall make over such record of paper to the Inspection Assistant by 10.45 a.m. on the date not in the requisition.

10. No marks are allowed to be made during the inspections over the document : - (a) No person inspecting a record or paper shall be allowed to take pen or make any mark on, or in any respect mutilate any record or paper which is being inspected.

(b) Applicant may make short notes on Separate Sheets but shall on no account be allowed to make a copy of translation of any paper on the record.

Note 1 – The words "short notes" in this rule mean such brief notes or memoranda with respect to the date and nature of the documents, names of the parties, etc., as may be necessary to identify the document or record in case, a copy is required or a list of papers for inclusion in the Paper-book is to be filed.

Note 2 – A notice in terms of this rule and Note 1 shall be hung up in a prominent place in the Inspection Room and a breach of the rule should be forthwith reported to the Gazetted Officer-in-charge.

11. Restricted entry in the room meant for Inspection : - Only officers of the Court and person authorized to inspect either under R.4 or R.5 above shall be allowed in the Inspection Room:

Provided that parties or their agent may accompany the Advocate, but the number of person shall not exceed two.

12. Inspection of Registers :- No one other than a Judge, the Registrar General, Deputy Registrar or an Assistant Registrar, shall be allowed to inspect any register of the Court or of the Officer, except on an order in writing of the Registrar General or such other Officer as may be authorized by him in his behalf, and in the presence of the officer whose duty it is to keep such register.

13. Record after inspection to be sent back to the concerned section :- In no case should the Inspection Assistant retain any records in the Inspection Room for more than three days of receipt of the record in the Inspection Room.

14. Application for information (other than under Right to Information Act 2005) :- Applications for information shall be made to the Deputy Registrar or such other officer of the Court as the Registrar General may depute for the purpose on any Court day between the hours of 11 a.m. and 4.30 p.m. and between the hours of 11 a.m. and 1 p.m. on Saturdays.

15. Amount payable on Application for Information : - Applications for information shall be made in the prescribed form copies of which will be supplied at the rate prescribed.

16. How information to be supplied on application under rule 14 :- An applicant for information will submit his application with the necessary particulars as shows in the Form prescribed. The officer receiving the application shall, if the information is available fill in the information both in the upper and lower halves of the form in their proper place. If the information is not immediately available, he shall state the appropriate place the date on which the applicant should call for the information and shall make over the lower portion of the form to the Applicant. Upon the Applicant calling for the information on the date stated he shall supply the information in the appropriate place, and an acknowledgment for the same being obtained on the upper portion of the form which shall be preserved in the office for the period prescribed from time to time.

Note (i) – Searching fees shall be levied on applications for information as in the case of applications for copies. An application will not be considered as complete till the searching fee, as necessary under the rules, has been paid.

17. When the information to be supplied :- Information shall ordinarily be supplied on the next open day after the application.

Note (i) :- Information requiring anything but short answers shall not be given. If any extract from the record or substance of any order or decrees or other document is desired, the proper course is to apply for a copy.

Note (ii) :- Defective applications and applications in which the information asked for cannot for any reason be given, shall be rejected subject to the orders of the Registrar General.

CHAPTER – X

DEPOSIT AND PAYMENT OF MONEY

1. Depositions in the Court to be made to the Accountant :- All money required to be paid or deposited under these rules other than paper-book costs shall be paid to the Accountant of the Court with a challan in the Form prescribed.

2. Deposition box to get challans passed :- The challan before it tendered at the Treasury or the Bank must be placed in the box provided for the purpose at the counter in the Accounts Department. If the challan is founded to be in order, it shall be numbered serially and entered in the challan Register and then signed by the challan Assistant and the Accountant.

3. Deposition to be made within time after challan passed :- All challans tendered shall be made ready for delivery to the advocates or parties concerned so as to enable them to deposit the money in the Treasury or the Bank on the day on which the challan is issued. If the party concerned fails to tender the challan at the Treasury or the Bank on the day of the issue, a fresh cahallan must be taken out on the following day, unless the time within which the deposit should be under the rules of the Court has expired, in which case the money will be accepted without an order of competent authority:

Provided that if for sufficient cause beyond his control, as to which he shall satisfy the Registrar General by a proper application setting out the cause, an advocate or party in prevented from tendering money under R. 1 and 2 by the hours fixed, and the deposit, if made on the following date, would be out of time, the Registrar General may direct the money to be received by an officer of the Court and such acceptance shall be deemed to be a valid deposit on the day on which it is accepted. The money so accepted shall, if deposit is under R. 2 of this Chapter be remitted to the local Treasury or the Imperial Bank by the

Courts office on the following day with the challan duly held in and tendered by the advocate or the party when depositing the money.

4. **Depositing acceptable during office hours** :- The time by which deposits must be made under R. 1 and challan must be placed in the box in the Accounts Department under R. 2, shall be fixed from time to time by the Registrar General having regard to the Courts office hours and those observed by the Treasury or the Bank.

5. **Communication to be made after deposition** :- On receipt on the advice of payment from the Treasury or the Banks, the fact that a deposit has been made should be communicated to the Appeal Section.

6. **Cash deposit not to be retained more than Rs 500** :- Money received in connection with the sale of paper-books, cause lists and forms must be forwarded by the Accountant to the Treasury or the Bank, together with a challan, for credit to Government as soon as the total amount reaches ` 500/- or more.

7. **Deposition only under orders** :- No money should be paid out of Court, except under an order of a Judge, the Registrar General, the Deputy Registrar or an Assistant Registrar.

8. **Surplus** :- Any surplus remaining after deducting the costs actually required in connection with the preparation of paper-books from the amount deposited with the Accountant of the Court may be refunded, in accordance with these rules upon request, to the party concerned by whom the deposit was made, or to the Advocate of such party.

9. **Refund** :- Applications for refund in form prescribed shall be signed by the party concerned or by his advocate.

10. **Certificate of the Accountant** :- No such application shall be presented unless it bears upon it a certificate in writing, dated and signed by the Accountant of the Court, that there is no stop-order in force affecting such money, or any part thereof, and stating the precise amount for the payment of which out of Court an order may be made.

11. **Contents of Application for refund or receiving payment out of deposition** :- Every application for the payment of money out of Court shall state –

(a) the name of the advocate making the application or the description and address of the applicant claiming to be entitled to the money (if the application is made by the party in person);

(b) the capacity in which such applicant claims to be entitled to the money;

(c) the cause, appeal, matter or proceeding in which or the date of the order under which, the money to which the application relate was paid into Court;

(d) the precise amount for the payment of which an order is applied for.

12. Application must be signed by the Applicant or his Advocate or person authorized :- Every application for the payment of money shall be presented by the applicant claiming to be entitled to receive such money, or by an advocate acting on behalf of the applicant, or by the recognized clerk of such advocate. In all cases in which the application is not presented by the applicant, it must be signed by the advocate claiming to be entitled to receive such money.

13. Defective Application how to be dealt :- If application for refund appears to be defective, a Judge or the Registrar General may make such order thereon as he considers proper, refuse to make an order thereon or order that notice to show cause shall issue to any person or any persons concerned in such application.

14. Repayment order must be signed by the Deputy Registrar :- No payment shall be made under an order under R. 13 except upon a repayment order signed by the Registrar.

15. Refund of Government promissory notes :- When an application is made for the refund of Government promissory notes deposited as security in an appeal to the Supreme Court, the applicant shall deposit with the Accountant a prescribed withdrawal fee.

CHAPTER – XI

APPLICATIONS FOR REVIEW OF JUDGMENT

1. **Provisions of Chapter IV to apply** – The provisions of Chapter IV shall apply, so far as may be, to every application for review.

2. **Grounds to be set forth** – Every application for review of judgment shall set forth plainly and concisely the grounds on which a review is sought, and shall contain a certificate by an advocate of the Court similar, mutatis mutandis, to that prescribed in appeals from appellate decrees.

3. **Discovery of new evidence how to be placed** – When the application for review proceeds on the ground of a discovery of fresh evidence, certified copies thereon of the documents, if any, relied upon, shall be annexed to the application, together with an affidavit setting forth the circumstances under which such discovery has been made.

4. **Review application how to be presented** – Every application for review of the judgment shall be presented to the Stamp Reporter, who will certify thereon whether the petition is in due form, within time and properly stamped, or that it is irregular, and shall return the petition with such certificate.

5. **Before whom to be presented** – Within seven days of the return of the application by the Stamp Reporter, the applicant, either in person or by an advocate, shall present the application by way of motion in open Court before the Hon'ble Judge concerned, and in the case of Division Bench to the Division Bench of whose judgment a review is sought, or if the Judge of such Division Bench be not sitting together, to the senior of such Judges who may be then attached to the Court and present.

6. **When to be presented before Chief Justice** – If an application for review of a judgment cannot be heard in the manner provided in Order XLVII, Rule 5, Civil Procedure Code, such application shall be presented by the applicant or his advocate with the certificate of the Stamp Reporter as required by Rule 4, to the Chief Justice, who shall provide for the hearing of the application.

7. **Notice to opposite party** – If notice is issued to the other side, the applicant for review shall, before hearing, file a duplicate typed copy of the application, together with two typed copies of each of the following documents :

(i) the judgment or order complained of, and decree, if necessary;

(ii) any affidavit filed with the application;

(iii) any affidavit in reply;

(iv) when the applicant proceeds on the ground of a discovery of fresh evidence, the documents, if any, relied upon together with an affidavit setting forth circumstances under which such discovery has been made.

CHAPTER – XII

COPIES

1. **Parties entitled to copies** – A plaintiff or a defendant who has appeared to the suit, is entitled, at any stage of the suit, to obtain a copy of the record of the suit, including exhibits which have been put in and finally accepted by the Court as evidence.

2. **When strangers entitled to copies** – (1) A stranger to a suit, after decree, obtain, as of course, a copy of the plaint, written statements, affidavits, and petitions filed in the suit, and may, for sufficient reason shown to the satisfaction of the Registrar General, obtain a copy of any such document before decree.

(2) A stranger to a suit may also obtain, as of course, a copy of any judgment, decree, or order at any time after it has been passed or made.

(3) A stranger to a suit has no right to obtain a copy of exhibits admitted in evidence, except with the consent of the person by whom they were produced or his successor-in-interest. He may obtain copies of other documents in which he has an interest, including depositions for bona fide use in the Courts and case maps, at any time after they have been proved.

3. **Advocate of party entitled to copy** – Every advocate engaged in any case shall be entitled to obtain from the Court's office a copy of the whole or any part of the proceedings and evidence in the case on depositing the estimated cost of such copy.

4. **Copy to be certified** – Every such copy shall be examined and certified as correct before it is issued from the Court.

5. Copies of documents other than in English or vernacular language of State, and the photo copies – (1) If the document to be copied is written in Persian or any language other than English or the Vernacular language of the State, a special rate may be fixed by the Registrar General.

(2) In case of Photostat/Xerox copy referred to in Rule 38 of Part IV of the Chapter XIII, of any page consisting of more than 150 words cost of two folios and where the words are not exceeding 150 cost of one folio may be realized.

6. How many words allowed in one folio – A folio shall consist of 150 English words or 200 vernacular words, 3 figures counting as one word.

7. Search fee – In addition to the foregoing charges a searching fee of ` 1/- shall be charged on each application for copy if the record of the case has been deposited in the Record Room :

Provided that one searching fee shall be charged for any number of copies taken from the same record and included in the same application.

8. No search fee from the Government – Copies of decrees, judgments or other papers required for bona fide Government purposes will be supplied to Government officers on payment of the usual charges for copying, no searching fee is being levied and no charge is being made for examination.

9. When free copy of judgment in criminal cases – Copies of judgment convicting Government officers of criminal offences, as well as copies of judgments of acquittal and orders of discharge, will be supplied on plain paper free of charge on the application of the Head of the Department concerned.

10. How copies to be provided to the Press – Copies of any judgments, civil or criminal, passed by the High Court in its appellate jurisdiction, may be supplied to the Press on formal application being made, after payment of the usual searching fee and copying charges and under the same conditions and restrictions as those under which copies of judgments in civil appeals are supplied to the parties.

11. Copies to the Law Journals – The Editors of the Indian Law Reports, and other law Journals and public bodies, as may be approved by the Chief Justice from time to time, may be allowed to make copies of judgments free of charge; provided that the copies

are made by their own agents, using their type writers and stationery and that such copy work is done in the presence of the Superintendent of the copying section; and, provided further that applications for such copies are made within twenty one days of the disposal of the case :

Provided that nothing containing in this Rule shall affect or limit the power of the Court to withdraw or modify, at any time, any privilege or concession, granted under these Rules or otherwise, without any reason being given for such withdrawal or modifications.

12. Power of the Chief Justice to allow copies free of charge – Notwithstanding anything contained in Rule 11, copies of judgments may also be supplied to approved law journals and other public bodies, either at concessional rate or rates, or free of charge as the Chief Justice may, by order determine on their applying for the same in the prescribed form and after paying the prescribed fee.

Provided that the Chief Justice may, by order dispense with the application and the fee in appropriate cases.

13. Fee – In the case of certified copies, the fee will be as follows :-

1. For copies of judgment/order/Document ` 100/- (Rupees One hundred) each.

The above mentioned amount will be deposited by the applicant before the Superintendent of the Copying Section and the Superintendent will issue a receipt thereof.

Provided that no carbon copy shall be certified as true copy.

Certified copies will be supplied either in the form of Xerox copies or Computer prints or Typed copies according to convenience of the Copying Section.

14. How uncertified copy to be converted into certified one – Uncertified copies may be converted into certified copies after comparison with the originals upon the application of the person to whom they have been granted and upon filing with such application the necessary Court-fee stamps required by law.

15. Extra charges for urgent copy – When an applicant requires his copies before the expiry of three days, an extra fee of ` 20/- shall be charged on all copies so furnished, to be levied from him by a Court-fee stamp, which should be affixed to the application for the copy and be entered in the Register for the Court-fee stamps.

16. **Amount realized for copy to be credited in Government Account** – Amount per folio charged for copies shall be credited to Government on account of the salary of examiners etc.

17. **Charge for copies of Maps and Plans** – In the case of maps and plans, the charge shall be fixed by the Deputy Registrar with reference to the difficulty of intricacy of the work to be done. Two thirds of the amount will be paid to the mappist and will include the cost of materials; and the remainder will be credited to Government on account of examination-fee.

18. **Timings for receiving Application for copies** – Ordinary applications for copies shall be made to the Superintendent of the Copying Section on any Court day between the hours of 11 a.m. and 3.30 p.m. Applications bearing the expedition fee prescribed in Rule 15 of this Chapter may, however, be made at any time during office hours.

19. **For obtaining application forms for copies** – Applications for copies shall be made in the prescribed form, copies of which will be supplied at 100 sheets per fifty rupees.

20. **Copies to be prepared only after payment of requisite Court-fee** – The preparation of the copy will not be commenced until the applicant has supplied in full the Court-fee stamps and the necessary number of folios will not be notified in the course and in the manner prescribed by these Rules.

21. **When copy refused on any ground, application to be returned** – In the event of an application for a copy being refused, an endorsement to the effect shall be made on the application form which shall then be returned to the applicant.

22. **Court fee payable to be endorsed by Incharge Copying Section** – On order being passed granting an application for a copy, the Incharge of Copying Section shall at once, if possible, or during the same day, but not later than the following day ascertain the amount of Court-fee stamps payable for the copy applied for and the number of folios required for its preparation.

23. **Number of folios required to be calculated with care** – The number of folios required should be carefully calculated so as to obviate the necessity for obtaining additional folios from the applicant.

24. **When documents of which copy sought is not traceable** – If, owing to insufficient or incorrect description, the document cannot be traced, the application should be endorsed and submitted at once to the Deputy Registrar or other officer of the Court for orders.

25. **Court fee payable for copy to be mentioned in the Register** – On receipt of the estimate as to the number of folios required, the Incharge of the Copying Section shall enter the amount of Court-fee stamps and other charges in the middle column of the application, and shall notify the amount in the prescribed register not later than the next following day.

26. **In case of delay in filing folios** – If the stamps and folios are not filed within three days of the notification in the prescribed Register, the application shall be rejected by the Deputy Registrar or other officers of the Court, but in a genuine case, the Registrar General may condone delays in the filing of requisites.

27. **Entry of date when the copy is ready to be made in the folios** – When the stamps and folios are filed, a note to that effect, and the date, shall be entered in place provided in the application for the purpose and the applicant shall be required to sign this entry. The date on which the copy will be ready shall also be noted in the appropriate column of the application form and a corresponding entry shall be made by the Superintendent of the Copying Section in the counterfoil of the application. The applicant shall retain the counterfoil and it shall be his duty to attend on the date fixed for the purpose of receiving the copy.

28. **Extra court-fee required to be notified** – If and when it is ascertained that extra court-fee or extra folios for copies are required, the amount of such court-fees or folios should be immediately notified in the prescribed register and shall be put within seven days on such notification.

29. **Nothing on the reverse of folio** – When the applicant complies with Rule 28, a note should be made to the reverse of the counterfoil showing the date and number of

extra folios and the date and number and the value of extra court-fees filed. This note shall be signed both the applicant and by the Incharge of the Copying Section.

30. **Signature of Copyist and examiner** – Every copy must bear the signature of the copyist making it and the date on which the copy was completed. It must also bear the signature of the Assistant who examined the copy and the date on which such copy was examined.

31. **Time for furnishing folio** – In ordinary circumstances, a copy shall be furnished not later than 1 p.m. on the fifth days after the necessary court-fee stamps and folios have been put in.

32. **Unused folios to be returned** – On receipt of the original application, the Incharge of the Copying Section shall attach to it the copy and all unused folios. On the applicant's appearance with the counterfoils, the Incharge of the Copying Section shall make over to him the copy and unused folios, taking his receipt in the counterfoil of the applications which he will retain in his custody.

33. **Destruction of folio after one month** – Should the applicant, in case, fail to appear to claim either the copy or the unsound folios before the last day of the month succeeding that on which the copy was ready for delivery or should he fail to put in the extra court-fees or extra folios within the period prescribed in Rule 28, such copy and unused folios shall be destroyed.

34. **In case of refusal of copy folio to be returned** – In any case in which a copy is refused, or cannot be granted the folios supplied by the applicant shall be returned to him when he is so informed.

35. **Seal of Court certifying true copy** – A certified copy shall bear the seal of the Court and shall be "certified to be a true copy" and be signed in fully by an officer authorized to do so by the Registrar General. The Certifying Officer shall append to his signature the words "authorized under Section 76, Act 1 of 1872".

Note – Uncertified copies shall only be marked as "Examined", and initialed by the Examiner.

36. **Particulars on the back of the copy** – When a copy of a decree, judgment or order is granted, the following particulars shall be recorded on the back of the copy itself, and in the form given below :

- (i) Date of application for copy
- (ii) Date of notifying the requisite number of folios and stamps
- (iii) Date of delivery of the requisite folios and stamps
- (iv) Date on which the copy was ready for delivery
- (v) Date of making over the copy to the applicant

37. **Free of cost copy required by other High Courts** – A copy of any judgment of this Court when required by any other High Court may be supplied free of cost.

38. **Urgent Application** – In case of urgent application for certified copy of judgment or order, Xerox/Photostat copy of the same duly certified by an officer authorized to do so by the Registrar General may be supplied to the applicant.

By Order,

REGISTRAR GENERAL

APPENDIX - I

FORMS (CIVIL)

[Note : Only those Forms which are specifically mentioned in the rule have been incorporated in this Appendix]

FORM NO. 1

(Civil)

Rule 41 & 44 of Chapter VI

HIGH COURT OF MEGHALAYA

Civil Appellate Jurisdiction

Appeal Form.. . . . No.. . . . of.. . . . 20.. . . .

Filed on..... 20.....No..... of 20.....

Of the Court of the

....Appellant

Versus

.....Respondent

Whereas the above-mentioned appeal has been preferred to this court against the of the court of the in the above-mentioned and whereas the necessary process fee has been paid by the appellant, and whereas the day of 20 has been fixed for the hearing of the said appeal in this court;

It is ordered that notice of the said appeal do issue out of, and under the seal of this court directed to the above named Respondent requiring to appear therein;

And it is further ordered that the said notice be forwarded to the for service to the said respondent and the said do submit to this court his return of service thereof without delay;

And it is further ordered that the said do, within one week from the receipt by him of this order, transmit to this court the record connected with the case.

Dated this Day of in the year one thousand nine hundred and

Deputy Registrar

FORM NO. 2
(Civil)

Rule 31, Chapter VI

To

The Speaker of the House of People,

Parliament House, New Delhi

The Chairman of the Council of States,

Parliament House, New Delhi

The Speaker, Legislature Assembly,

Meghalaya, Shillong

Dated:

Subject — Description of the case.

Sir,

In the above proceeding, the appellant/respondent proposes to rely upon the documents specified in the Annexure which are in the custody of the House of the People/Council of States/Legislative Assembly. I have to request you to move the House, if you have no objection, to grant leave for the production of documents in the High Court and, if such leave is granted to arrange to send the documents/certified copies of the documents so as to reach the court on or before..... by the registered post (A.D) or through an officer in the Secretariat of the House.

Registrar General

High Court of Meghalaya

ANNEXURE

Document to be specified here

FORM NO. 3
(Civil)

Rule 31, Chapter VI

To

The Speaker of the House of People,

Parliament House, New Delhi

The Chairman of the Council of States,

Parliament House, New Delhi

The Speaker, Legislative Assembly,

Meghalaya, Shillong

Dated... ..

Subject-Description of the case.

Sir,

In the above proceeding, the appellant/respondent proposes to examine an officer in the Secretariat of the House of the People, Council of States/Legislative Assembly as a witness in regard to matters specified in the Annexure. I have to request you to move the House, if you have no objection to grant leave for examination of the said officer in the High Court, and, if such leave is granted, to direct, the officer to appear in Court at 10 a.m. on

Yours faithfully,

Registrar General,

High Court of Meghalaya

ANNEXURE
(Matters of evidence to be specified here)

FORM NO. 5

Rule 3, Chapter V

NOTICE FOR SERVICE ON RESPONDENT NO(s):
CIVIL RULE/MISC CASE/REVIEW APPLICATION/WRIT APPEAL NO OF 199

HIGH COURT OF MEGHALAYA

(Civil Jurisdiction)

In The Matter of:

AND

In The Matter of:

.....Petitioner/Appellant

-Versus-

.....Respondent(s)/Opp. Party

To,

TAKE NOTICE that a Writ Petition/Misc. Petition/Review Application/Writ Appeal, a copy whereof along with a copy of the order passed by this Court thereon are annexed hereto, has been filed by the above named petitioner/appellant and that you are hereby called upon to appear and show cause as directed in the aforesaid order within 14 days of service of this notice,. The matter will be heard soon thereafter as the business of the Court may permit, but no notice of such further date shall be given.

If no appearance is made by yourself or by your advocate or by someone by law authorised to act on your behalf on the date of appearance/hearing, the matter will be heard and decided exparte in your absence.

Signed and sealed by order of the Court on this the day of
20.....

This Rule is made returnable by:

Asstt. Registrar

High Court of Meghalaya

FORM NO. 6

(Civil)

IN THE HIGH COURT OF MEGHALAYA

Civil Appellate and Revisional Jurisdiction

Civil No 20

.....Appellants/Petitioners

-Versus-

.....Respondent/Opposite Party

We direct thatformal order follows.

(Sd.).....

(Sd.).....

Dated the..... 20.....

Judges

Memo No.

Copy forwarded to of..... for information and necessary action.

By order of the High Court

Deputy Registrar

Assistant Registrar

High Court:

Civil Appellate Jurisdiction

the 20

FORM NO. 7

(Civil)

IN THE HIGH COURT OF MEGHALAYA

WRIT APPEAL NO OF

..... Appellants

Rank in Writ Petition

Versus

..... Respondents

Rank in Writ Petition

In Civil Rule No of

..... Petitioners

In Writ Petition

Versus

..... Respondent

in Writ Petition

Writ Appeal presented against

judgment and order dated.....

of learned Single Judge in Civil

Rule No of

Para 1 : Facts of the case.

Para 2 : Contentions of the petitioner before the Single Judge.

Para 3 : Contentions of respondent (opposite party) before Single Judge.

Para 4 : Points which arose for decision before Single Judge.

Para 5 : Conclusions and decisions of Single Judge.

Para 6 : Grounds on which the conclusions and decisions of Single Judge are challenged.

Para 7 : Relief sought in appeal. State if conclusion and decisions of Single Judge are to be set aside wholly or in part or in what manner and to what extent.

I, Advocate for the appellant do hereby certify that the grounds set forth above are good grounds of appeal and I undertake to rely on the same at the time of hearing.

<u>List of papers:**</u>		(Advocate)
1.	List of Dates	– 1
2.	Chronology of events with Synopsis	– 1
3.	Memorandum of Appeal	– 1
4.	Certified copy of the Judgment	– 1
5.	Authenticated copy of the Civil Rule/ Writ Petition with relevant annexures	– 1
6.	Copy of the affidavit-in-opposition	– 1
7.	Counter – Affidavits	– 1
8.	Other relevant papers filed by the party in the relevant Civil Rule/Writ Petition	– 1
9.	Vakalatnama	– 1
10.	Extra copy of Memorandum of Appeal	– 1

And the documents mentioned in S1.No.3 to 8

Note— “All papers/Documents are to be neatly typed on azurelaid paper”.

FORM NO. 8

(Civil)

NOTICE FORM

In Letters Patent Appeals
IN THE HIGH COURT OF MEGHALAYA

Civil Appellate Jurisdiction
NOTICE

Appeal No of 20 under C1. 15 of the Letters Patent.

In

Appeal from Appellate Decree No of 20

..... Appellant

Versus

..... Respondent

To,

Take notice that the above-mentioned appeal under C1. 15 of the Letters Patent has been filed in this Court on behalf of the above named appellant by his advocate from the Judgment of the Hon,ble Mr. Justice sitting singly, passed in the above mentioned appeal from Appellate Decree and dated the of 20..... That it has been set down for hearing on the Day of 20..... And that it will be heard on that date or as soon thereafter as the business of the Court will permit.

Dated this the day of 20

Deputy Registrar

FORM NO. 9

(Civil)

NOTICE FORM

In Letters Patent Appeals

IN THE HIGH COURT OF MEGHALAYA

Civil Appellate Jurisdiction

Appeal No Of 20 under C1. 15 of the Letters Patent arising from
difference of opinion in Appeal from Decree No of 20

..... Appellant

Versus

..... Respondent

To

.....

Take notice that the above-mentioned appeal under C1. 15 of the letters patent arising from difference of opinion between the Hon'ble Mr. Justice and the Hon'ble Mr. Justice has been filed in this Court on behalf of the above named appellant by his advocate on the day of 20 that it has been set down for hearing on the Day of 20 And that it will be heard on that date or as soon thereafter as the business of the court will permit.

Dated this day of 20

Deputy Registrar

FORM NO. 10

(Civil)

THE HIGH COURT OF MEGHALAYA

Appellant's list

PART I

Paper other than exhibits and those included in the Rules of the High Court, upon which the decision of the appeal depends and which the appellant desires to have included in part I of the paper-book at his expense.

Appeal from Original Decree/Order No of 20

..... Appellant

Versus

..... Respondent

The list should be filed by the appellant within three weeks/one week after service of the notice.

Serial No	Number on the record	Description and date of paper	Whether the whole or portion and, in case of a portion, what portion to be inserted in the paper book	Remarks
--------------	-------------------------	----------------------------------	---	---------

PART II

(This list of exhibits to be inserted in part II of the paper book at the expense of the appellant)

The list of exhibits should follow the order of the exhibit mark. A correct and full description of such documents must be given.

S1.No.	Exhibit mark On the record	Description and date of document	Whether and whole or portion and, in case of a portion, what portion to be in- serted in the paper book	Remarks
--------	-------------------------------	-------------------------------------	---	---------

I, advocate for the appellant, do hereby certify that I have examined this list with reference to the provisions of the rules of the High Court, Appellate side, and declare that in my judgment it is necessary to include in the paper book of this appeal every document or portion of a document included in this list in order to arrive at a proper decision of the appeal.

Date 20

Signature of advocate

for the Appellant

Name

Address (with post office)....

FORM NO. 11
(Civil)

THE HIGH COURT OF MEGHALAYA

Respondent's list

PART I

Paper other than those inserted in the Appellant's list, which are relevant to the subject matter of the appeal, and to which the respondent desires that reference shall be made by the Court at the hearing of the appeal.

Appeal from Original Decree/Order No of 20

..... Appellant

Versus

..... Respondent

Under Rules of the High Court, this list should be filed by the respondent within three weeks/one week after service of the notice and should contain the papers to be included, at the cost of such respondent, in the paper-book of the above appeal.

S1.No.	Number on the record	Description & date of paper	Whether the whole or portion and in case of a portion, what portion to be inserted in the paper-book	Remarks

PART II

(The list of exhibits to be inserted in Part II of the paper-book at the expense of the Respondent)

(The list of exhibits should follow the order of the exhibit mark. A correct and full description of such documents must be given).

S1.No.	Exhibit mark	Description and on the recorddate of document	Whether the whole or portion and, in case of a portion, what portion to be inserted in the paper-book	Remarks
--------	--------------	--	--	---------

I, Advocate for the respondent do hereby certify that I have examined this with reference to the provisions of ` . 25, Chapter IX of the Rules of the High Court, and declare that in my judgment it is necessary to include in the paper-book of this appeal every document or portion of a document included in this list in order to arrive at a proper decision of the appeal.

Dated 20

Signature of Advocate for the
Respondent

Name

Address (with post office).....

FORM NO. 12

(Civil)

The following First/Second Appeals from Orders/Decrees/Cross Objection have been registered on

Serial No. 1	Appeal No. and year 2	Name of Appellant/ Cross objector 3	Name of Appellant's/ Cross objector's Advocate 4
--------------------	-----------------------------	---	--

High Court, of Meghalaya
The 20

Superintendent of F.A./S.A. Section

FORM NO. 13
(Civil)

Rule 52, Chapter VI

THE HIGH COURT OF MEGHALAYA

General Warning List

The following appeals are ready for hearing and will be transferred to the Weekly Cause List on the expiration of fourteen/seven days from the date of the list.

S1. No.	No. and year of appeal	Advocate for appellant	Advocate for respondent	Remarks
1	2	3	4	5

Shillong

Dated

Superintendent.

FORM NO. 14

(Civil)

Rule 77, Chapter VI

*Form of application for copy*Space for searching
feecourt-fee
stamp on applicationSpace for expedition
fee

IN THE HIGH COURT OF MEGHALAYA

Appellate Jurisdiction

Serial No.

Application for Urgent copy
Ordinary

*..... No of 20

..... Appellant/Petitioner

Versus

..... Respondent/Opposite party

Description of document of which
a copy is wanted, with date when
necessaryApplication is made by the
undersigned for certified/uncertified
copy marginally noted document
from the High Court/Lower Court
file in the above case which was
disposed of/is still pending on
The following stamps and
stamp sheet are filed.

Dated 20

Signature of applicant

Office ReportThe copy will
cover sheetsEstimate of cost(excluding stamps and
stamp-sheet filed)
is `.Estimated stamps, etc.modified on
Estimated stamps etc.,
supplied onSearching fee...
Required is not

Stamp-sheets at

Applicant's signature...

Court-fee stamps

Copy will be ready on....

At

Record received on....

Stamp for authentica-
tion.

Copy actually ready on

Copy delivered on

Superintendent

Extra stamp for
urgency
Searching fee in
stamps_____
Total_____
Superintendent,
Copying section

Serial No Received copy on20..... with unused stamps
and stamp-sheets.

Received an application for copy valued at `.....
bearing the above number.

Estimated stamps and stamp-sheets valued

At ` supplied on 20

To attend for copy on 20

Dated 20

Applicant

Superintendent

Note — The application will not be considered as complete until stamps and costs have been supplied in full, which must be done within seven days of the date of the estimated. All enquiries and complaints shall be accompanied by this counterfoil. It will have to be given up when the copy is delivered.

FORM NO.15

(Civil)

THE HIGH COURT OF MEGHALAYA

Appeal from Original Decree/Orders

No of 20

From decision of

.... esq.

.... Judge

Dated the 20

..... Appellant

Versus

..... Respondent

For Appellant — Mr.

For Respondent — Mr.

Date of institution of Suit ...

The

Date of Lower Court's judgment

The

Date on which the appeal was presented ...

The

Date on which the appeal was decided ...

The

Date on which the decree was signed

The

Translated by

Translations examined

Edited by

Proofs examined by

Party

FORM NO. 16
(Civil)

Rule 22, Chapter XII

Registrar of information to applicants as to stamps and folios necessary for copies applied for.

.....

To be supplied within 7 days

.....

Date of entry in this Register

Serial number of application

Case number

Name of applicant

Number of impressed stamp sheets at `

Number of adhesive stamps at `

Fee for authentication

Searching fee

Expedition fee

Remarks

FORM NO. 17
(Civil)

Register of licensed clerks employed by advocate of the High Court

.....

1. Licence No.
2. Name of licensed clerk
3. Father's name
4. Residence of licensed clerk.
5. Date of licence
6. Name of Advocate by whom employed
7. Remarks

Note — Not more than two or three names should be entered on each page, and as each renews his licence from year to year the date of each renewal should be entered on the same page in Column 5.

FORM NO. 18

(Civil)

Licence for advocates' clerks, other than articled clerks, High Court licence
(Not transferrable)

No Advocate, during the year

Dated 20

This is to authorize Son of
Licensing authority residing at To be
produced when required and to act as the return for renewal on
licensed clerk of
(on the reverse)

To the Licensing Authority
Please renew for

Year

Date of renewal and
Renewing Officer's
Signature

Signature of the Advocate

FORM NO. 19

(Civil)

Rule 2, Chapter VIII

IN THE HIGH COURT OF MEGHALAYA

(Civil Appellate Jurisdiction)

Title Page

PART I

(This file must be preserved for ever)

Appeal from No of 20

..... Appellant

Versus

..... Respondent

Date of decision of High Court

Date of decision of Supreme Court

FORM NO. 20

(Civil)

Rule 2, Chapter VIII

IN THE HIGH COURT OF MEGHALAYA

(Civil Appellate Jurisdiction)

Title Page

PART II

(This file must be destroyed at the end of 3 years)

The above period shall be calculated from the date of the final decree or order, which, in cases appealed to the Supreme Court will be that of the decree or order of the Supreme Court.

Appeal from No of 20

..... Appellant

Versus

..... Respondent

Date of decision of High Court

Date of decision of Supreme Court

FORM NO. 21

(Civil)

Rule 2, Chapter IX

IN THE HIGH COURT OF MEGHALAYA

(Civil Appellate Jurisdiction)

(1) Serial No. and date of application

(2) Date when requisition for the record made by the
Inspection Assistant [same date as in the item (1) above](3) Date of receipt of record by Inspection Assistant [3 days
from the date mentioned in item (2) above]

Searching fee Re

Inspection fee

Provided that no fee shall be levied from parties to appeals or other proceedings in the Court, or their advocates, for inspecting the records of such appeals or proceedings if the records relating thereto have not been deposited in the record-room of the court.

Application for inspection of the record in the undermentioned Pending/Disposed case.

Description of case	Number year	Description of the papers of which inspection	Name of person or persons who will inspect the is required record (not exceeding three) including the Inspecting Advocate

The 20

Signature of the Advocate
for

Note — If the applicant is a stranger of a party appearing in person in a case, he must say so in the application.

..... Section

Please supply the record.

Superintendent

.....

FORM NO. 22

(Civil)

Rule 16, Chapter IX

Application for Information

Serial No.

Space for searching Fee

*Re:

Appeal

No. of 20

RuleDistrict

Revision

Province

1. * Nature of Information required

* The 20

Signature of Applicant

2. Date when the applicant will call for the information:

3. Office report regarding information:

The 20

Signature of Officer
supplying information

4. Information received on:

The 20

Signature of Applicant

To be perforated

*Re:

AppealNo. of 20RuleDistrictRevisionProvince

5. Date by which information is to be ready

6. Information: Supplied on

*To be filled in by the applicant.

Signature of Officer supplying
the information

Note — A searching fee will be charged on all applications, if the information required will necessitate a search in the record room of record of the appeal or proceedings from which the information can be obtained.

FORM NO. 23

(Civil)

To

The Registrar General, High Court of Meghalaya, Shillong

Challan No Dated Shillong, the Day of 20

Sir,

I beg to tender this challan for depositing the undernoted amount for credit of the account of which the details are noted below:

No. of Appeal: F.A.M.A.(F), S.A.M.A.(S), S.C.A. Rule of 20

Name of person on whose behalf the money is tendered

Particulars of deposit

Amount tendered (in words)

Advocate for Appellant/Respondent

PERSONAL LEDGER ACCOUNT

High Court, Appellate Jurisdiction

Challan No. The day of 20

To

Local Treasury

Imperial Bank of India (Public Accounts Department)

No. of Appeal: F.A.M.A.(F), S.A.M.A.(S), S.C.A. Rule of 20 `.....

Please receive from advocate for appellant/respondent on account of the sum of rupees for credit of the Accountant-General, Meghalaya Shillong with account of the Registrar, Appellate Jurisdiction, High Court if tendered to you, today under the head

Accountant

RECEIPT

Local Treasury/Imperial Bank of India

Challan No. Shillong of 19

No. of Appeal: F.A.M.A.(F), S.A.M.A.(S), S.C.A. Rule of 20..... `.....

Received from Advocate for appellant/respondent the sum of rupees as per High Court Challan No Date 20 for credit of the Accountant-General, with the account of the Registrar General, Appellate Jurisdiction, High Court.

Treasury Officer/Superintendent.

FORM NO. 24

(Civil)

Rule 1, Chapter X

Original
ChallanDuplicate
ChallanReceipt
Challan

Account No.

Account No.

Account No.

Treasury of High Court,
Appellate Side
Dated..... 19.....Treasury of High Court,
Appellate Side
Dated..... 19.....Treasury of High Court,
Appellate Side
Dated..... 19.....

By whom Brought	On what account	Amount	By whom brought	On what account	Amount	By whom brought	On what account	Amount
	_____			_____			_____	

Total Rupees

.....

(in figures)

Total Rupees

(in words)

Total Rupees

(in figures)

Total Rupees

(in words)

Total Rupees

(in figures)

Total Rupees

(in words)

Cashier

Cashier

Cashier

Examined and entered
AccountantExamined and entered
AccountantExamined and entered
Accountant

FORM NO. 25
(Civil)

To

The Registrar, High Court, of Meghalaya Shillong.
Rs..... Appeal No..... of 20

..... Appellants
Versus
..... Respondents

Sir,

Please allow me to withdraw the sum of `..... being the surplus amount on account of the cost of preparation of paper-book in the above appeal deposited on behalf of the appellants/respondents.

I am authorized by the Vakalatnama filed by me to withdraw the money.

Dated 20

Yours faithfully,
Advocate for the Appellant/Respondent

Appeal No. of 20

Shri advocate for the appellants/respondents, is authorized by Vakalatnama filed by him to withdraw money from this Court on behalf of the appellants/respondents mentioned in his application.

Certified that sum of `..... (Rupees) only is due for return to the appellants/respondents in the above appeal and that there is no stop order in force affecting the refund.

Accountant

Refund the sum of `..... only to the appellants/respondents through his/their advocate.

Registrar General

FORM NO. S.C.1*Notice for grant of certificate*

Notice under O. XLV, R.3(2), C.P.C.

No. S.C.A.

IN THE HIGH COURT OF MEGHALAYA

(Appellate Civil Jurisdiction)

Application for leave to appeal to the Supreme Court

No. of 20

(Appeal from Decree No Of 20

..... Petitioners to the Supreme Court

Versus

..... Opposite Party

To

The above-named Opposite Party,

Take notice that the above-named petitioners to the Supreme Court have applied to this Court for a certificate that, as regards amount or value or nature, the above case fulfils the requirements of Section 110 of the Code of Civil Procedure, 1908, or that it is otherwise a fit one for appeal to the Supreme Court.

The day of 20 is fixed for you to show cause why the Court should not grant the certificate asked for.

Given under my hand and the seal of the Court this day of 20

Deputy Registrar

APPENDIX-II
FORMS (CRIMINAL)

[Only those Forms which are specifically mentioned in the rules have been incorporated in this Appendix]

FORM NO. 1
(Criminal)

No..... Cr.....

From The Registrar General of the High Court of jurisdiction in Meghalaya, Shillong.

To The Magistrate of the District of
Dated Shillong the 20
Jury Reference No..... of 20

Sir,

High Court (Criminal) The State -Versus- Accused Charged under Section.....of the Indian Penal Code	I am directed to inform you that the case noted in the margin* which has been submitted to the High Court by the Sessions Judge of under Section 307 of Act V of 1898, with a view to setting aside the verdict of the Jury before whom the accused/prisoner was tried, has been set down for hearing on the20 or as soon thereafter as the business of the Court will permit, and to request that you will give notice accordingly to the accused/prisoner, intimating to me here on that you have done so.
--	---

2. The material exhibits of the case, if any, need not be sent until called for by the Court.

Yours faithfully,
Registrar General.

Memo No. Cr..

Copy forwarded to the Government Advocate, Meghalaya, Shillong, for his information.

High Court
Criminal Section
The 20.....

By order of the High Court

Registrar General.

FORM NO. 2

(Criminal)

No..... Cr.....

From

The Registrar General of High Court of Judicature in Meghalaya, Shillong

To

The Magistrate of the District of

Dated the 20

(Death Reference No and Appeal No of 20

Sir,

HIGH COURT

(Criminal)

The Sessions Judge of having referred to this Court for confirmation under the Code of Criminal Procedure, the proceedings of this Court, dated the of 20....., convicting..... son of of murder and sentencing to death under Section 302 of the Indian Penal Code, I am to request that you will inform the prisoner that the reference has been set down for hearing on the of 20 or as soon thereafter as the business of the Court will permit and along with which the appeal which has been/may be preferred by..... will also be heard and disposed of.

2. You are also requested to intimate to me hereon that notice has been served as directed.

Yours faithfully,

Registrar General

Memo No.....

Copy forwarded to the Government Advocate, Meghalaya, for his information.

High Court

By order of the High Court

Criminal Section

The..... 20.....

Registrar General.

FORM NO. 3 (Criminal)

No. Cr.....

From

The Registrar General of the High Court of Judicature in Meghalaya, Shillong

To

The District Magistrate of Esqr.

Advocate for Appellant(s)

Dated 20

(Appeal No of 20.....)

Sir,

High Court
Criminal

Present:

The Hon'ble

Mr. Justice.....

Justice.....

Under the Code of Criminal Procedure,
I am directed to forward herewith a copy
of the Court's order, dated the And
to inform you (request you to take notice)
that the case marginally noted* is set
down for hearing on the day of
20....., or as soon thereafter as the
business of the Court will permit (and to
request that you will give notice thereof
to the appellant(s) and report actual
service of notice to me before the date
fixed for hearing of the case).

*Appeal of appellants

convicted under S....

of the I.P.C. and sentenced by the Session

Judge of On

Yours faithfully,

The20....

Registrar General

*Strike out if not required.

Memo, together with a copy of the Court's order, dated the 20 forwarded
to the District Magistrate of with the request that pending the hearing of the appeal,
he will release the appellant(s) on bail to satisfaction of the
District Magistrate/cause the realization of the fine to be stayed.

High Court:
Criminal Section

By order of the High Court

The..... 20

Memo No.

.....

Cr..

Registrar General

Copy forwarded to the Sessions Judge of..... For his information and with a request that he will forward the papers of the case, including the Magistrate's commitment record, at once. Should they not be dispatched so as to reach this office on or before the and explanation of the delay should be given

2. The material exhibits of the case, if any, need not to sent until called for the Court.

High Court
Criminal Section
The 20.....

By order of the High Court
Registrar General

Memo No..... Cr.....

Copy, together with a copy of the Court's order, dated the 20..... forwarded to the Government Advocate, Meghalaya, Shillong for his information.

High Court.
Criminal Section
The 20.....

By order of the High Court
Registrar General

FORM NO. 4
(Criminal)

Form:

To:

The Speaker of the House of People,
Parliament House, New Delhi.

The Chairman of the Council of States,
Parliament House, New Delhi.

The Speaker, Legislative Assembly,
Meghalaya, Shillong.

Dated the

Subject : (Description of the case)

Sir,

In the above proceeding, the applicant/opposite party proposes to rely upon the documents specified in the Annexure, which are in custody of the House of People/Council of States/Legislative Assembly. I have to request you to move the House, if you have no objection, to grant leave for the production of documents in the High Court and, if such leave granted, to arrange to send the documentary certified copies of the documents so as to reach the Court on or before..... by registered post (A.D.) or through an officer in the Secretariat of the House.

Registrar General,
High Court of Meghalaya

ANNEXURE
(Documents to be specified here)

FORM NO. 5
(Criminal)

Form:

To :

Speaker of the House of People,
Parliament House, New Delhi.The Chairman of the Council of States,
Parliament House, New Delhi.
The Speaker, Legislative Assembly,
Shillong.

Dated the

Subject : (Description of the case)

Sir,

In the above proceeding, the applicant/opposite party proposes to examine an officer in the Secretariat of the House of People/Council of States Legislative Assembly, as a witness in regard to matters specified to grant leave for the examination of the said officer in the High Court, and, if such leave is granted to direct the officer to appear in the Court at 10 A.M. on

Yours faithfully,
Registrar General,
High Court of Meghalaya

ANNEXURE
(Documents to be specified here)

FORM NO. 6

(Criminal)

No. Cr.

From

The Registrar General, High Court of Meghalaya
Shillong

To

The Magistrate/Deputy/Commissioner
The District of

Dated the 20

(Appeal No.. of 20.....)

High Court:

Criminal

*Present: The Hon'ble Mr.
Justice and The Hon'ble
Mr. Justice..... *Appeal of
..... Appellant*

*convicted under Section.....
I.P.C. and sentenced by the
Sessions Judge of
on the 20*

Under the Code of
Criminal Procedure, I am directed
to forward herewith a copy of the
Court's order dated the and to
inform you (request you to take
notice) that the case marginally *
noted is set down for hearing on
day of 20 or as soon
thereafter as the business of the
Court will permit. As the appellant
is confined in the Jail,
the District Magistrate of
has been requested to have the
notice served upon on.

Yours faithfully
Registrar General

Memo No. Cr

Copy forwarded to the District Magistrate of with a request that he will have notice of the date of hearing the appeal served upon appellant, and intimate (to this notice hereon) that he has done so.

High Court:

By order of the High Court

Criminal Section

The 20

Registrar General

Memo No..... Cr

Copy forwarded to the Sessions Judge of for his information and with a request that he will forward the papers of the case including the Magistrate's commitment record at once. Should they not be dispatched so as to reach this office on or before the 20 and explanation of the delay should be given.

2. The material exhibits of the case, if any, need not to be sent until called for by the High Court.

High Court Criminal Section

By order of the High Court

Registrar General

The 20

Memo No. Cr

Copy, together with a copy of the Court's order, dated the 20 forwarded to the Government Advocate, Meghalaya for his information.

High Court Criminal Section

By order of the High Court

The 20

Registrar General

FORM NO. 7 (Criminal)

IN THE HIGH COURT OF MEGHALAYA *Criminal Appellate/Revision Jurisdiction*

Criminal No. of 20

Mr./Messrs

For Accused/Petitioners/Appellants

Mr./Messrs.

For Opposite Party/for the State

*This reference is accepted/rejected.

We direct that the accused/petitioners/appellants named be at once released
and if on bail the bail bond cancelled,

be at once released on bail,

be called upon to surrender forthwith to his/their bail to serve out the (remainder
*of the) sentence imposed upon him them be informed:

(1) that he/they has/have been sentenced to death,

(2) that the sentence of death passed on him/them has been confirmed.

(3) that the sentence of death passed on him/them has been commuted to
transportation for life,

(4) that the sentence of death passed on him/them has been alerted to rigorous
imprisonment for Years,

5. that he has/they have been sentences to

6. that the sentence(s) passed on him/them has/have been confirmed,

7. that the sentence(s) passed on him/them has/have been alerted to

Judgment follows:

Dated the 20

Judge

Judge

Memo No..... Cr

Copy forwarded the Sessions Judge,...../Chief Judicial Magistrate of
/Sub-Divisional Judicial Magistrate of Dated the

*An acknowledgment of the receipt of the Court's order by telegraph is requested.
The actual date of surrender or release must be reported within a week of the receipt of
this.

High Court

Criminal Section

The 20

By order of the High Court

Registrar General

FORM NO. 8

(Criminal)

No Cr

From

The Registrar General of the High Court of Meghalaya

To

The District Magistrate of

Dated the 20

High Court (Government Appeal No. 20.....)

The Hon'ble Mr. Justice

The Hon'ble Mr Justice

The Government of...

Appellant

Versus

Respondent

Convicted to on offence under

Section IPC by the

Magistrate of On the 20

and acquitted on appeal by

the Session Judge of on

the 20

With reference to the accompanying copy of petition of appeal, filed by the Superintendent and Remembrancer of Legal Affairs, Meghalaya on behalf of the Government of Meghalaya under Section 417 of the Code of Criminal Procedure, in connection with the case noted on the margin, I am directed to forward herewith a copy of the Court's order dated 20 and to inform you under Section 422 of the said Code that the appeal has been set down for hearing on the 20 ... or as soon thereafter as the business of the Court will permit, and to request that you will give notice thereof that you have done so.

Yours faithfully
Registrar General

Memo No.

Cr.

Copy forwarded to the sessions Judge of
for his consideration

High Court,
Criminal Section

By order of the High Court

Registrar General

Dated 20

Memo No.....

Cr.....

Copy, together with a copy of the Court's order, dated 20 forwarded to
the Government Advocate, Meghalaya for his information.

High Court
Criminal

By order of the High Court

The20.....

Registrar General

FORM NO. 9
(Criminal)

IN THE HIGH COURT OF MEGHALAYA.

(Criminal Appellate Jurisdiction)

Appeal No..... of 20.....

The State
Versus

.....Appellants

Title page

PART I

(This file must be preserved for ever)

Dated of decision of High Court.....

Date of deposit in the Records Room.....

FORM NO. 10
(Criminal)

IN THE HIGH COURT OF MEGHALAYA
(*Criminal Appellate Jurisdiction*)

Title Page

PART II

(This file must be destroyed at the end of three years)

The above period shall be calculated from the date of the final order.
Appeal No. of 20

The State
Versus

..... Appellant

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 11
(Criminal)

IN THE HIGH COURT OF MEGHALAYA
(*Criminal Appellate Jurisdiction*)

Revision No..... of 20.....

.....Petitioner
Versus

.....Opposite Party

Title Page
PART I

(This file must be preserved for ever)

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 12
(Criminal)

IN THE HIGH COURT OF MEGHALAYA
(*Criminal Appellate Jurisdiction*)

Revision No..... of 20.....

.....Petitioners

Versus

..... Opposite Party

Title Page

PART II

(This file must be destroyed at the end of 3 years)

The above period shall be calculated from the date of the final order.

Date of decisions of High Court.....

Date of deposit in Record Room.....

FORM NO. 13
(Criminal)

IN THE HIGH COURT OF MEGHALAYA
(*Criminal Appellate Jurisdiction*)

Revision No. of 20

.....Petitioner

Versus

.....Opposite Party

Title Page

PART I

(This file must be preserved for ever)

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 14
(Criminal)

IN THE HIGH COURT OF MEGHALAYA
(*Criminal Appellate Jurisdiction*)

Revision No..... of 20.....

..... Petitioner

Versus

.....Opposite Party

Title Page

PART II

(This file must be destroyed at the end of 3 years)

The above period shall be calculated from the date of the final order.

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO.15
(Criminal)

IN THE HIGH COURT OF MEGHALAYA
(*Criminal Appellate Jurisdiction*)

Misc. Case No..... of 20
.....Petitioners
Versus
.....Opposite Party

Title Page
PART I
(This file must be preserved for ever)

Date of decision of High Court.....
Date of deposit in the Record Room.....

FORM NO. 16
(Criminal)

IN THE HIGH COURT OF MEGHALAYA
(*Criminal Appellate Jurisdiction*)

Title Page

PART II

(This file must be destroyed at the end of 3 years)

The above period shall be calculated from the date of the final order.

Misc. Case No..... of 20

.....Petitioner

Versus

.....Opposite Party

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 17
(Criminal)

IN THE HIGH COURT OF MEGHALAYA
(*Criminal Appellate Jurisdiction*)

Reference under Section, Code of Criminal Procedure

No..... of..... 20.....

The State

Vs

.....Accused

Title Page

PART I

(This file must be preserved for ever)

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 18
(Criminal)

IN THE HIGH COURT OF MEGHALAYA
(*Criminal Appellate Jurisdiction*)

Reference under Section 366, Code of Criminal Procedure
No..... of 20

The State
Versus

.....Accused

Title Page
(PART II)

(This file must be destroyed at the end of 3 years)

The above period shall be calculated from the date of the final order.

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 19
(Criminal)

IN THE HIGH COURT OF MEGHALAYA
(*Criminal Appellate Jurisdiction*)
Reference under, Code of Criminal Procedure

No..... and Appeal No..... or 20.....

The State

Versus

.....Accused

Title Page PART I

(This file must be preserved for ever)

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 20
(Criminal)

IN THE HIGH COURT OF MEGHALAYA
(*Criminal Appellate Jurisdiction*)

Reference under, Code of Criminal Procedure.

No..... and Appeal No..... of 20.....

The State
Versus

.....Accused

Title Page
(PART II)

(This file must be destroyed at the end of 3 years)

The above period shall be calculated from the date of the final order.

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 21
(Criminal)

IN THE HIGH COURT OF MEGHALAYA
(*Criminal Appellate Jurisdiction*)

Reference under, Code of Criminal Procedure.

No..... and Appeal No..... of 20.....

.....Complainant

Versus

.....Accused

Title Page

(PART II)

(This file must be preserved for ever)

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 22
(Criminal)

IN THE HIGH COURT OF MEGHALAYA
(*Criminal Appellate Jurisdiction*)

Reference under, Code of Criminal Procedure.

No..... of 20.....

.....Complainant

Versus

.....Accused

Title Page

PART II

(This file must be destroyed at the end of 3 years)

The above period shall be calculated from the date of the final order.

Date of decision of High Court.....

Date of deposit in the Record Room.....

FORM NO. 23
(Criminal)
Form of Warrant
IN THE HIGH COURT OF MEGHALAYA
(*Criminal Appellate Jurisdiction*)

To
The Officer-in-charge of.....
or
To

You are hereby required to have the body of now a prisoner in your custody (*or now in your custody), before the High Court, on its Appellate Side, on the day of next, by..... of the clock in the forenoon of the same day to be dealt with according to law and you shall then and there abide by such order as shall in the behalf be made by the said Court (if the prisoner is detained in public custody, add) and unless the said..... shall then and there, by the said Court, be ordered to be released, you shall, after the said Court have dispensed with his further attendance, cause him to be conveyed under safe and sure conduct back to the said.

Dated this..... day of 20.....

Registrar General

FORM NO. 24
(Criminal)
Form of Warrant
IN THE HIGH COURT OF MEGHALAYA
(*Criminal Appellate Jurisdiction*)

To

The Officer –in- charge of the (name of asylum), or to (name of officer) in charge of B.C. an alleged lunatic.

You are hereby required to have the body of B.C., now a prisoner in the (name of jail) or now in custody at the (name of Jail) or now in custody at the (name of asylum) or now in charge, under safe sure conduct before the High Court, on its Appellate Side, on the day and of next, by of the clock in the forenoon of the same day there to be dealt with according to law, and unless the said B.C., shall then and there by the said Court be ordered to be discharged, cause him, after the said Court shall have dispensed with his further attendance, to be conveyed under safe and sure conduct, back to the said jail (or asylum or other custody).

Dated day of20.....

Deputy Registrar

FORM NO. 25
(Criminal)
Form of Warrant
IN THE HIGH COURT OF MEGHALAYA
(*Criminal Appellate Jurisdiction*)

To

The Officer-in-charge of

You are hereby required to have the body of now a prisoner in the under safe and sure conduct before the High Court, on its Appellate Jurisdiction, on the day and of next, by..... Of the clock in the forenoon of the same day there to give testimony in a certain charge or prosecution now pending before the said Court against..... And after the said shall Then and there have given his testimony before the said Court, or the said Court shall have dispensed with his further attendance, cause him to be conveyed, under safe and sure conduct, back to the said

Dated..... day of20.....

Registrar General

FORM NO. 26
(Criminal)
Form of Warrant
IN THE HIGH COURT OF MEGHALAYA
(*Criminal Appellate Jurisdiction*)

To

The Officer-in-charge of the

You are hereby required to have the body ofnow a prisoner in the under safe and sure conduct before the officers assembled at a Court-martial (or before the Commissioner) at on the day of..... .. next, by of the clock in the forenoon of the same day for the trial of the said) or there to give testimony in certain trial now pending before the said Court-martial, or the said Commissioner against of as the case may be), and after the trial of the said or after the said shall then and there have given his testimony before the said Court-martial (or the said Commissioner) or the said Court-martial (or the said Commissioner) shall have dispensed with further attendance, cause him to be conveyed, under safe and sure conduct, back to the said.....

Dated..... day of 20

Registrar General

FORM NO. 27

(Criminal)

Form of Warrant

IN THE HIGH COURT OF MEGHALAYA

(Criminal Appellate Jurisdiction)

To

The Officer-in-charge of the

You are hereby required to have the body of now a prisoner in the to be conveyed, under safe and sure conduct, to the jail at and on or before the day of made or to the Officer-in-charge of such jail to be kept by him there in intermediate custody for the purpose of trial before the High Court in the exercise of Appellate Criminal Jurisdiction at the next sitting to be held at

Dated day of 20

Registrar General
