

# THE HIGH COURT OF MEGHALAYA: AT SHILLONG

## NOTIFICATION

Dated, the 15<sup>th</sup> May, 2025

**No. HCM.II/61/2023/Estt/137:** The Hon'ble Chief Justice, High Court of Meghalaya is pleased to notify the 'Action Plan For Reduction of Arrears in the High Court of Meghalaya as Modified on the basis of the Action Plan for Reduction of Arrears in High Court', as prescribed by the Committee for 'Model Case Flow Management Rules for Trial Courts, District Appellate Courts, High Courts and to suggest a plan for reduction of arrears in the High Courts and District Courts', Supreme Court of India.

**REGISTRAR GENERAL**

Dated, the 15<sup>th</sup> May, 2025

**Memo. No. HCM.II/16/2023/Estt/137-A**

Copy to:-

1. The Registrar-cum-PPS, High Court of Meghalaya, for favour of kind information of His Lordship.
2. The P.S to Hon'ble Mr. Justice H.S.Thangkhiew, Judge, High Court of Meghalaya for favour of kind information of His Lordship.
3. The P.S to Hon'ble Mr. Justice W. Diengdoh, Judge, High Court of Meghalaya, for favour of kind information of His Lordship.
4. The P.S to Hon'ble Mr. Justice B. Bhattacharjee, Judge, High Court of Meghalaya, for favour of kind information of His Lordship.
5. The, Registrar (Admn.) & Secretary (SCMSC), High Court of Meghalaya, Shillong for favour of kind information.
6. The Registrar (Judicial Service)-cum-CPC, High Court of Meghalaya, Shillong, for favour of kind information.
7. The Joint Registrar (Listing), High Court of Meghalaya, for favour of kind information and necessary action.
8. The Manager (IT), High Court of Meghalaya, for favour of kind information and necessary action.
9. The Joint Registrar-cum-Secretary to the Hon'ble the Chief Justice and Secretary, HCLSC for favour of kind information and necessary action.
10. The Superintendent, Judicial Section, High Court of Meghalaya, for favour of kind information and necessary action.
11. Office file.

B51  
15/5/25

  
**REGISTRAR GENERAL**

**ACTION PLAN FOR REDUCTION OF ARREARS IN THE HIGH COURT  
OF MEGHALAYA AS MODIFIED ON THE BASIS OF THE MODEL ACTION  
PLAN FOR REDUCTION OF ARREARS IN HIGH COURTS**

The Model Action Plan for Reduction of Arrears in High Courts has been prepared by the Committee to draft Model Case Flow Management Rules for the High Courts, which also includes the recommendations of the Committee for Case Flow Management Rules For Trial Courts, District Appellate Courts, High Courts And to Suggest a Plan for Reduction of Arrears in the High Courts and District Courts. Taking in to consideration the nature of cases and pendency in this High Court, the Model Action Plan is modified suitably to make it more adaptable to this High Court.

The pendency and category of cases in the High Court of Meghalaya as on 1<sup>st</sup> March, 2025 is as follows:

**Category wise cases as on 31.03.2025**

| Category of Cases           | DIVISION BENCH | SINGLE BENCH | TOTAL |
|-----------------------------|----------------|--------------|-------|
| <u>Civil matters</u>        |                |              |       |
| Central Excise Appeals      | 02             |              | 02    |
| Contempt Cases (C)          | 01             | 72           | 73    |
| Public Interest Litigations | 15             |              | 15    |
| Writ Appeals                | 45             |              | 45    |
| Writ Petitions (Civil)      | 31             | 507          | 538   |
| Income Tax Appeals          | 01             |              | 01    |
| Custom Appeals              | 02             |              | 02    |
| Arbitration Appeals         | 02             |              | 02    |
| First Appeals               | 02             | 05           | 07    |
| Second Appeals              |                | 02           | 02    |
| Review Petitions            | 01             | 01           | 02    |
| Civil Revision Petitions    |                | 31           | 31    |
| Election Petitions          |                | 05           | 05    |
| MAF                         |                | 01           | 01    |
| MA(S)                       |                | 02           | 02    |
| MACAppl                     |                | 05           | 05    |
| <u>Criminal matters:</u>    |                |              |       |

|                           |            |            |            |
|---------------------------|------------|------------|------------|
| Criminal Petitions        | 01         | 84         | 85         |
| Criminal Appeals          | 61         | 23         | 84         |
| Writ Petitions (Criminal) | 01         | 08         | 09         |
| Criminal Revisions        |            | 12         | 12         |
| Bail/Anticipatory bail    |            | 04         | 04         |
| Transfer Petitions (Crl)  |            | 07         | 07         |
| <b>TOTAL</b>              | <b>165</b> | <b>769</b> | <b>934</b> |

Further, the data in terms of the Model Action Plan for Reduction of Arrears in High Courts with regard to this High Court is as follows as far:

| <b>Sl. No.</b> | <b>Type of cases</b>                                                             | <b>Number pending as on 31.03.2025</b> |
|----------------|----------------------------------------------------------------------------------|----------------------------------------|
| 1.             | Criminal Appeals involving convicts who have been in Jail for more than 20 years | 4                                      |
| 2.             | Criminal Appeals involving convicts who have been in Jail for 5 to 10 years      | 13                                     |
| 3.             | Criminal Appeals involving convicts who have been in Jail for up to 5 years      | 65                                     |
| 4.             | Cases under Section 374(4) CrPC pending before the Division Bench                | 4                                      |
| 5.             | Cases under Section 374(4) CrPC pending before the Single Bench                  | 3                                      |
| 6.             | Cases relating to termination of employees                                       | 14                                     |
| 7.             | Cases of Senior Citizens                                                         | 90                                     |
| 8.             | Pension related matters                                                          | 23                                     |
| 9.             | Supreme Court expedited matters                                                  | 1                                      |
| 10.            | Cases under which pending proceedings or investigation have been stayed.         | 8                                      |
| 11.            | Regular First Appeal                                                             | 8                                      |
| 12.            | Regular Second Appeal                                                            | 4                                      |

|     |                                                 |    |
|-----|-------------------------------------------------|----|
| 13. | Applications under Section 482 Cr.PC            | 85 |
| 14. | Appeals under Section 37 of the Arbitration Act | 2  |
| 15. | MACT Appeals                                    | 5  |

The above matters shall be accorded priority in this modified Action Plan.

Other information relating to the matters pending in the High Court:

1. Number of more than 10 year old cases – 6 (List is at Annexure I)
2. Number of 5 to 10 year old cases- 73 (List is at Annexure II)
3. Number of less than 5 year old cases -855 (List is at Annexure III)
4. No. of Govt. Advocates in the High Court -36
5. No. of Public Prosecutors in the High Court - 34

"The following factors enumerated in the Model Action Plan is adapted in this Action Plan for the High Court of Meghalaya:

#### **Key Principles for the Action Plan**

- a. Prioritizing Older Cases:** At present there are no 20 or 30 years old matters in the High Court and very few matters which are 10 years old. Therefore the focus shall be on resolving cases that have been pending for 10 years, giving special attention to the oldest cases.- **Action by the Joint Registrar(Listing).**
- b. Case Management Hearings:** To organize regular hearings to facilitate the faster progression of cases through their various stages. **Action by the Joint Registrar(Listing).**
- c. Fair Distribution of Cases:** To ensure a balanced distribution of cases while respecting the jurisdictional boundaries of different Benches. **Action by the Joint Registrar(Listing).**
- d. Maximizing Technology Use:** To leverage IT tools and AI for automated data extraction, defect correction, and summarization, particularly for grouping cases with similar legal issues and identifying infructuous matters. **Action by the CPC/Joint Registrar(Listing) and Manager IT**

- e. Eliminating Infructuous Matters:** To develop strategies to identify and remove matters that are no longer relevant or necessary. **Action by the Joint Registrar(Listing).**
- f. Promoting Alternative Dispute Resolution (ADR):** To encourage the use of mediation and Lok Adalats to expedite dispute resolution. Special Lok Adalats may be conducted to dispose of compounding cases, maintenance and matrimonial disputes, land acquisition cases (under two lakhs), MACT and service matters. **Action by the Joint Registrar(Listing) and the Secretary, High Court Legal Services Committee.**
- g. Engagement with Stakeholders:** To involve Bar Associations and relevant agencies to address procedural delays and enhance efficiency. **Action by the Registrar(Judicial Service) and Joint Registrar(Listing).**
- h. Adaptability to Local Contexts:** To adjust strategies to fit the unique circumstances of each State, allowing for flexibility in the implementation of the Action Plan. **Action by the Registrar(Judicial Service) and Joint Registrar(Listing).**
- i. Report Generation and Monitoring:** To regularly generate and monitor reports to assess progress and refine strategies for effective execution. The High Courts may either follow this action plan as such or may modify it as per their own requirements within stipulated time. **Action by the Registrar(Judicial Service) and Joint Registrar(Listing).**

**Step 1: 1. Preparation of list of targeted cases:** The Registry shall complete the task of preparing a list of targeted cases. Such targeted cases may be ascertained on the basis of relevant parameters such as:

- (i) Where accused is in jail for a considerable long time without suspension of sentence.
- (ii) Where there is a statutory requirement to decide the matter within stipulated time. For example: death reference cases, cases under Section 374 (4) of Cr.P.C.
- (iii) Cases of termination of employees.

- (iv) Cases of Senior citizens, cases where a party is suffering from terminal illness and pension related matters etc.,
- (v) Supreme Court expedited cases.
- (vi) Writ Petitions/Revision Petitions/Quashing Petitions arising out of pending civil and criminal cases where the pending proceedings have been stayed or investigation is stayed.
- (vii) Cases like regular first and second appeals, applications under Section 482 Cr.P.C, criminal appeals, appeals under Section 37 of the Arbitration Act which contribute to the pendency substantially, as applicable to each High Court may be targeted.
- (viii) Old MACT matters shall also be identified.
- (ix) Cases involving similar legal issues/parties may be clubbed together. The case types mentioned above are not in order of priority. The case types are nor exhaustive.

Such cases need to be identified and separate category-wise list of cases must be prepared.

**Action by the Joint Registrar(Listing).**

**2. A unique identifier has to be assigned to the old cases.** Upon the filing of a case in the High Court, a mechanism may be put in place to assign a unique identifier to old cases. This identifier would serve the purpose of alerting the Judicial Listing branch and judges that the case requires prioritized listing and hearing. **Action by the Joint Registrar(Listing).**

**3. Old 'unready' cases need immediate attention.** A time limit must be fixed for the Registry to prepare a list of old 'unready' cases by assigning reasons against each case as to why such case is unready. The said list be placed before the Arrears Committee/Case Flow Management Committee of respective High Courts within a stipulated time. The said Committee shall take a decision within stipulated time for making those cases 'ready' for hearing. **Action by the Joint Registrar(Listing).**

**4. Use of technology:** The tools including Artificial Intelligence (AI)/software can be used for undertaking the entire exercise of preparing a list of cases which needs immediate attention. The technology can be used to weed out infructuous matters without human intervention. The software prepared by Madhya Pradesh High Court may be followed. **Action by the CPC/Joint Registrar(Listing) and Manager, IT.**

**5. Data/Command Centre:** The Data/Command Centre in every Registry may be established in order to streamline the data and monitor entire listing and disposal system. **Action by the Joint Registrar(Listing) and Manager, IT.**

**6. Stayed cases:** The Judicial branch of High Courts shall prepare a database in respect of old targeted cases which have been stayed by the Supreme Court and send the same to Supreme Court on a monthly basis, and regularly monitor and update the list as to continuance or lifting of stay. **Action by the Joint Registrar(Listing).**

Step 2: The following **action to be taken by the Joint Registrar(Listing)**

1. The targeted cases may be listed on priority basis at appropriate place in the cause list earmarked for them by giving appropriate heading like 'old cages' or 'priority cases' etc,. Preference to hearing by way of video conferencing shall be given to targeted cases.
2. 10 old cases from the targeted list shall be done in each Court on daily basis to expedite the disposal of old cases.
3. Equal distribution of targeted matters shall be done amongst the Benches.

4. Fixed next hearing dates shall be given and targeted cases shall be proceeded by fixing date-to-date basis avoiding unnecessary adjournments and concrete case progression shall be ensured in old targeted cases.
5. Weeding out of old cases: There may be old cases of various nature. A systematic exercise is required to be undertaken to weed out such old matters which have rendered infructuous. Judicial branch of the High Court should identify undated old cases and make efforts to assign hearing dates to such targeted cases.
6. Physical verification of cases: There should be an ongoing process of physical verification at all levels so that the infructuous and 'unready' cases can be identified and correct data may be collected.
7. Bail matters: Bail matters shall be listed before Single Judge Bench only and High Courts may refrain from listing bail matters before Division Benches.
8. Digital records shall be called from the District Courts in case of appeal or revision to avoid delay caused in calling for physical files of case records in High Courts.

**Timeline:** After deliberating with the member judges, a timeline has been drawn to implement the steps enumerated in this Action Plan. These timelines, however, can be adjusted in case pendency is less in a particular High Court. The aforementioned timeline is divided into three phases as follows:

| Phase | Objective                                                                                                            | Time period |
|-------|----------------------------------------------------------------------------------------------------------------------|-------------|
| I     | 1. Identification of targeted cases and preparation of list of targeted cases.<br>2. Physical verification of cases. |             |

|     |                                                                                                                                                |                          |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
|     | 3. Identification of infructuous and unready old matters.<br>4. Resolution of issue qua shortage of Public Prosecutors and Government Advocate | March 2025 to June 2025  |
| II  | 1. Disposal of all cases which are more than 10 years old.                                                                                     | July 2025 5 to June 2026 |
| III | 1. Disposal of which are more 5 to 10 years old.                                                                                               | June 2026 to May 2027    |

\*\*\*\*\*