

HIGH COURT OF MEGHALAYA ACTION PLAN FOR REDUCTION OF ARREARS IN THE DISTRICT JUDICIARY IN THE STATE OF MEGHALAYA

I. INTRODUCTION

The problems of arrears has been plaguing the district judiciary in the country over the years. The district judiciary in some parts of Meghalaya is no exception to this. Although, comparatively, the pendency of cases in the District Courts in Meghalaya cannot be termed as insurmountable, the presence of five year plus cases is a matter of concern. The position of pending cases in the District Judiciary of Meghalaya as on 31st May, 2024 is as follows:

Sl. No.	Name of the District Court/Sub-Divisional court	Total no. of pending cases	Total no. of five year old plus cases
1.	East Khasi Hills District	5027	2380
2.	Ri Bhoi District	1354	442
3.	West Khasi Hills District	341	31
4.	South West Khasi Hills District	148	44
5.	West Jaintia Hills District	772	287
6.	East Jaintia Hills District	1176	599
7.	Eastern West Khasi Hills District	14	0
8.	West Garo Hills District	889	114
9.	South West Garo Hills District	219	19
10.	East Garo Hills District	335	45
11.	South Garo Hills District	269	107
12.	North Garo Hills District	259	34
13.	Sohra Sub-Division	25	7
14.	Amlarem Sub-Division	61	11
15.	Dadenggree Sub-Division	43	6
16.	Phulbari Circuit Court	253	60
	Total	11185	4186

II. OBJECTIVES:

The objectives of this Action Plan are two fold viz

- To achieve “Zero” 5 (Five) year plus old cases for all Subordinate Courts possibly within a fixed time frame.
- To reduce the overall pendency of cases in the District Courts.

III. ROLE AND FUNCTIONS OF THE DISTRICT CASE MANAGEMENT COMMITTEES:

In terms of the “Action Plan for Arrears Reduction in District Judiciary” formulated by the Committee for Model Case Flow Management Rules

for Trial Courts, District Appellate Courts, High Courts of the Hon'ble Supreme Court of India, District Case Management Committees have been constituted in all Districts. The Committee shall diligently discharge its functions which includes the following:

1. **Preparatory Stage Tasks:** The Committee, during its preparatory stage, shall complete all necessary tasks for the effective implementation of the action plan. This includes the identification of action plan cases, considering the pendency as of 31st December 2023, as well as cases that will reach an age of over 10 years by January 1, 2025, ensuring that essential steps are in place for successful implementation.
2. **Preparation of Targeted Case Lists:** The Committee will be responsible for creating comprehensive lists of targeted cases as outlined in the action plan. These lists may categorize cases based on various criteria such as age, type (civil, criminal, LAC, MACT, POCSO, family disputes) etc. The categorization process will also involve identifying cases having interim applications pending for over three months, unready matters, and undated matters.
3. **Regular Review and Updating:** The progress of the cases covered under action plan shall be regularly reviewed, and lists be updated regularly to reflect the status and progress of each case.
4. **Coordination with Judicial Officers:** The Committee will coordinate with judicial officers of respective courts to ensure that the lists are utilized effectively for case management and that the prioritized cases are given the necessary attention.
5. **Engage with duty holders:** The Committee shall formulate a plan to engage regularly with the bar association, and related stakeholders. This engagement is essential for understanding broader challenges in case management and for soliciting collaborative support.
6. **Feedback and Adjustments:** The Committee will also seek feedback on the effectiveness of the lists and other steps in

managing the caseload and will make adjustments as necessary based on this feedback and regular evaluations.

IV. Course of action/steps to be taken in pursuance of the targets:

1. Strict adherence to the phase wise “Operational Framework” in the “Action Plan for Arrears Reduction in District Judiciary” formulated by the Committee for Model Case Flow Management Rules for Trial Courts, District Appellate Courts, High Courts of the Hon’ble Supreme Court of India. In pursuance thereof, the District Court Management Committees shall take the following steps:

i) Phase-I (Preparatory) (June to July,2024): During this phase the District Case Management Committees shall take the following steps:

a) Preparation of Lists of targeted cases and other

preparatory steps: A categorised list of targeted cases shall be prepared for each court. This comprehensive list shall include cases prioritized for expedited resolution, such as the other long-standing matters and oldest execution petitions etc. Upon completion, these lists shall be submitted to the Registrar (Judicial Service) of the High Court. The details of these targeted cases shall be displayed on the notice boards in the respective courts. This step is crucial for maintaining transparency and keeping all stakeholders, including litigants and lawyers, informed. Furthermore, meetings shall be organized at the district level with members of the bar for ensuring that the legal community is fully engaged in and supportive of the efforts to reduce arrears. Timelines and other necessary steps shall be discussed and framed in consultation with the judicial officers at the district level by the Case Management Committee. This collaborative approach will help to tailor the action plan to the specific needs and challenges of each district, thereby enhancing the effectiveness of the initiative.

- b) Physical verification of cases:** A comprehensive physical verification of case files be carried out. This process is critical not only for ensuring the accuracy of data but also for correctly identifying the old cases, which will be the primary focus during the subsequent two phases of targeted case management. After the physical verification of case files, reconcile the findings with the data shown on the National Judicial Data Grid/CIS. The necessary corrections would ensure that the data on the National Judicial Data Grid/CIS accurately reflects the actual number of cases. This process must be completed in this phase preferably before the end of the July, 2024. This step would ensure that the data on the National Judicial Data Grid & CIS accurately reflects the actual number of cases.
- c) Undated cases:** Identify undated cases and make concerted efforts to assign hearing dates to each case. Once identified, appropriate dates should be assigned as promptly as possible.
- d) Reconstruction of record of lost files:** In the event that the record of an old or targeted case included in the action plan is lost, efforts be made to reconstruct the record as early as possible. It may involve soliciting copies from the parties, retrieving relevant court orders etc. The District Case Management Committee shall ensure that such case files are reconstructed at the earliest after following proper procedure.
- e) Equitable distribution of oldest/targeted cases:** This should be carefully managed by the District & Sessions Judge and deliberated upon in the District Case Management Committee meetings. It may involve a comprehensive assessment of the current caseload, taking into account the complexity and nature of each case. While doing so expertise, experience, and existing workload may be considered. The development of a clear set of criteria for case distribution is

crucial, ensuring that cases are allocated in a manner that balances the workload across judges and prevents any one judge from being excessively burdened.

f) Meetings with Senior police officers/Public prosecutors:

For old/ targeted criminal cases where trials have been delayed due to challenges in serving witness summons or securing the accused's presence, the case management Committee shall compile a list of these cases. The District & Sessions Judge shall then convene meetings with the District Superintendent of Police and Public Prosecutors. In this meeting, they shall inform the police officers about the specifics of these cases, including details like the Police Station and Crime Number, and request the District Superintendent of Police to assign a senior police officer as a Nodal Officer to oversee the timely service of summons and warrants in these criminal cases.

g) Appointment of Senior Nodal Officer from Revenue Department for Expedited Final Decree Proceedings:

To address delays in the preparation of final decrees, often due to the lack of cooperation from revenue department, the appointment of a senior Nodal Officer from the revenue department may be requested. This officer should ensure that matters requiring steps like surveys and other related procedures are prioritized and completed efficiently. This strategy may facilitate a more rapid preparation of final decrees.

ii) Phase-II (August to December 2024):

a) Identification of 10 year old cases and resolving cases such by the end of December 2024:

These cases should be identified within July, 2024. The identification shall be notified on the court notice boards and to the Bar Association. The aim shall be to resolve these oldest cases by the end of December

2024, provided they are not under any stay by higher courts. This approach is expected to ensure that even in courts with a lower volume of extremely old cases, the oldest cases still receive priority and efforts for timely resolution.

- b) Disposal in Special Exclusive POCSO Courts etc:** In courts designated for POCSO (Protection of Children from Sexual Offences) the 20 oldest cases should be identified and aimed to be resolved by the end of December 2024. Similarly, in courts dedicated to handling cases under the Prevention of Corruption Act, the 10 oldest cases should be identified for resolution by the end of December 2024.
- c) Negotiable Instruments Act Matters:** In courts dedicated to Negotiable Instruments Act matters, the 50 oldest cases shall be identified for resolution during this phase. A significant barrier to the advancement of these cases is the frequent failure to serve notices to the accused. Therefore, the District Case Management Committee should develop and implement strategies to effectively address this issue, thereby facilitating smoother case progression.
- d) LAC Matters:** Land Acquisition Cases (LAC) and associated Execution Cases require swift handling. Consequently, there shall be a focused initiative to expedite the resolution of the oldest 100 LAC in this phase of this special drive. Courts handling such matters should identify and expedite resolution of the oldest 100 Land Acquisition Cases (considering one batch as one case) cases in this phase. In executions related to LAC cases, the District Legal Services Authorities may be actively and appropriately involved.
- e) MACT matters:** Recognizing the urgency and importance of these cases, a dedicated drive shall be initiated focusing on the disposal of the 100 oldest MACT cases in this phase. MACTs should identify and expedite resolution of the oldest 100 such cases in this phase.

f) Execution petitions: Recognizing the critical need to address these Execution Petitions, which are essential for enforcing court judgments, a specific initiative shall be implemented in this phase. This initiative shall focus on the resolution of the five-year old Execution Petitions during this phase. In courts where there are no execution petitions pending for five years or more, the focus shall shift to addressing the oldest 20 execution petitions. This targeted approach is to ensure that even in courts with a relatively lesser backlog, the oldest and potentially most delayed execution petitions are prioritized, facilitating timely enforcement of judgments and effective administration of justice.

iii) Phase- III (January to June 2025):

a) Identification and disposal of all 5 years old cases by the end of

June 2025: The identification shall be notified on the court notice boards and to the Bar Association. The aim shall be to resolve these cases by the end of June 2025, provided they are not under any stay by higher courts. This approach is expected to ensure that even in courts with a lower volume of extremely old cases, the oldest cases still receive priority and efforts for timely resolution.

b) Reiteration of Phase-II Targets in Exclusive Courts for the Second

Phase: In the third phase of action plan, targets may be set for various exclusive court categories. This approach includes upholding the priorities set for Family Courts, Commercial Courts, Juvenile Justice Boards, POCSO Courts, courts exclusively handling offenses against women, and courts dedicated to the Prevention of Corruption Act cases and Negotiable Instruments Act cases. Additionally, the targets set for Land Acquisition Cases (LAC) and Motor Accident Claims Tribunal (MACT) matters, as set in the second phase, may be repeated in the third phase.

c) Execution petitions: Focus on the resolution of the three-year oldest Execution Petitions during this phase. In courts where there are no execution petitions pending for three- years or more, the focus shall shift

to addressing the oldest 20 execution petitions. This targeted approach is to ensure that even in courts with a relatively lesser backlog, the oldest and potentially most delayed execution petitions are prioritized, facilitating timely enforcement of judgments and effective administration of justice.

d) Framing of issues: In civil cases where the framing of issues has been pending for over one month even after completion of pleadings, action shall be taken to ensure that these issues are promptly framed. This step is crucial for advancing these cases towards resolution. The delay in framing issues can lead to prolonged proceedings, and addressing this effectively will aid in streamlining the process.

e) Framing of charges: Similarly, in criminal cases where the charges are required to be framed as per law but has been delayed for more than one-month, immediate steps will be taken to address this issue in the third phase. The framing of charges is a critical step in the criminal justice process, setting the stage for the trial by clearly outlining the accusations against the defendant. Prioritizing the framing of charges in cases where this has been delayed is essential to prevent undue prolongation of the legal proceedings. This action will ensure that these criminal cases progress to the trial stage in a timely manner, thereby contributing to the efficiency and effectiveness of the criminal justice system

f) Disposal of interim applications: In civil suits, any interim applications that have been pending for more than three months shall be given priority for disposal. The resolution of these interim applications are often crucial for the progression of the case. Addressing them promptly is essential for avoiding unnecessary delays.

4. OTHER STEPS TO BE TAKEN IN PHASES I, II & III

a) Redistribution of Cases Due to non-availability of Judicial Officer:

Where a judicial officer is on long leave due to reasons such as medical issues, cases classified as critical arrears or the 50 oldest cases from the affected court, should be redistributed among other courts. This redistribution should be conducted with careful consideration of the specific nature and complexities of each case to ensure appropriate and

efficient handling. This proactive measure may help at preventing delays in the processing of these targeted cases.

- b) Lok Adalat and Mediation:** The effective use of Lok Adalat and Mediation may help in addressing the pendency of old cases. The introduction of special pre-Lok Adalat sittings for identified old cases can significantly enhance the resolution process. These pre-Lok Adalat sessions provide an opportunity for the parties involved to discuss their issues before formally presenting them at the Lok Adalat, fostering a more conducive environment for amicable settlements. In these pre-Lok Adalat sittings, the involvement of trained mediators may be considered.
- c) Unready cases:** As part of an action plan to address unready cases, initiate a thorough review of all unready cases to identify specific reasons for their unprepared status. Judicial intervention may be required to resolve procedural issues that are causing delays. The State Judicial Academy shall provide training and capacity building for judicial officers and court staff to enhance their efficiency in managing and processing cases. The endeavour should be made to systematically reduce the number of unready cases. During the action plan, the percentage of unready cases be reduced significantly.
- d) Record with the Appellate/Revisional Courts:** If the Case Management Committee finds that oldest/targeted cases, cannot be heard, because the record of the cases is with the High Court, though no stay is granted, a list of such matters shall be compiled by the Committee of each district and forwarded to Registrar (Judicial Service) of High Court. On receipt of such list, the Registrar (Judicial Service) shall ascertain whether the matters are pending in High Court or not. If the matters are disposed of and the records are not dispatched, the Registrar (Judicial Service) shall ensure that the records of such cases lying in the High Court are immediately forwarded to the concerned Courts. The Appellate/Revisional Courts shall only call for the digital record of such cases so that further proceedings in the trial courts are not hampered.
- e) Stayed cases:** Old/targeted cases that are part of the action plan but have been stayed by the High Court or the Supreme Court, the District Case Management Committee shall prepare and regularly update a

comprehensive list of such cases. It is crucial that this list is consistently monitored and updated to reflect any changes, such as the lifting of stays or issuance of new stay orders. The updated list should then be regularly submitted to the Registrar (Judicial Service), ideally on a monthly basis, to ensure the information remains current and actionable. Upon receipt of this list, the Registrar (Judicial Service) shall seek appropriate directions from the Chief Justice to facilitate the progression of these cases. Data base of the stayed cases be prepared. This approach is essential for ensuring that stayed cases within the action plan are not overlooked and continue to receive the necessary attention for their eventual resolution, aligning with the goals of reducing case arrears.

f) Merit-Based Resolution of Oldest/targeted Cases: An endeavour shall be made to dispose of the oldest cases on merits and easy recourse to dismissal of the matters for non-prosecution or deciding the cases exparte shall not be taken, unless it is absolutely warranted by the facts of the case.

g) Expedited Handling of appeal/revision in targeted Cases in Higher Courts: Upon the filing of an appeal or revision in targeted cases, a mechanism be put in place to assign a unique identifier to these cases at the time of filing. The identifiers would serve the purpose of alerting court staff and judges that the case requires expedited processing. To ensure effectiveness, this approach necessitates training for court personnel and the establishment of clear operational guidelines. Though demanding in terms of implementation, such a system could significantly enhance the efficiency and timeliness of proceedings in targeted cases.

h) Use of Justis Mobile App/NJDG: The Justis mobile app is specifically designed to empower judicial officers with advanced tools for effective court management, thereby facilitating the speedy administration of justice at the district level. The Justis app offers comprehensive and detailed data insights for a particular court, including case type, yearwise, and stage-wise details of disposals and pending cases, all from the judicial officer's perspective. This granular insight into court data enables judicial officers to make more informed decisions and manage their workload more effectively. To ensure the successful implementation

of action plan, it is imperative that the District Judges and other judges utilize the Justis app and National Judicial Data Grid(NJDG). Additionally, organizing necessary training sessions for judges will be crucial in maximizing the app's use and NJDG.

- i) Use of Virtual Court Hearings in Targeted Cases:** Consider and facilitate virtual court hearings for the targeted cases. This initiative may minimize unnecessary adjournments. This approach not only enhances efficiency but also aligns with modern practices, ensuring a more accessible and expedient resolution of cases.
- j) Addressing the Shortage of Public Prosecutors in Courts:** During the action plan, it is essential to address the pressing concern of public prosecutor shortages in numerous courts. Often, a single prosecutor is tasked with managing criminal matters in multiple courts, resulting in delays. This scarcity hampers the progression of criminal cases towards their conclusion and presents challenges such as recording dispositions of all witnesses present. To tackle this, it is imperative that the District Judge, in jurisdictions experiencing a dearth of public prosecutors, proactively report this situation to the High Court. The High Court, upon being notified, shall then take appropriate measures to address this issue.
- k) Utilization of 'Urgent Case' Feature in CIS for Action Plan Cases:** The feature in the Case Information System (CIS) that allows for marking cases as 'urgent' could be effectively used for cases encompassed by the action plan. This would enable such cases to be highlighted at the top of the cause list, ensuring they are given priority attention. Utilizing this functionality can be instrumental in efficiently managing and expediting the resolution of cases within the scope of the action plan.
- l) Priority for Cases involving individuals with Terminal Illness or Senior Citizens:** During the implementation of the action plan, priority should be given to cases involving individuals with terminal illnesses or senior citizens. This approach may ensure that they receive timely justice and consideration in light of their unique circumstances.
- m) Minimizing Adjournments and Shorter Dates in Targeted Cases:** In the cases targeted by the action plan, it is important to avoid granting

unnecessary adjournments. Instead, shorter dates should be set for hearings to ensure a more efficient and expedited resolution of these cases.

n) Tailored Case Resolution Targets for Diverse Districts: Different districts could have varying levels of case backlogs, and the caseload per judge might also differ. Additionally, the plan aims to expedite the progression of cases towards their conclusion. Therefore, tailored targets might be set for various districts within the state, keeping in view the specific categories of cases and other relevant aspects.

PHASE IV AND PHASE V OF THE ACTION PLAN FOR ARREARS
REDUCTION IN DISTRICT JUDICIARY (APAAr-DJ)

3.2.4. Phase IV: July 2025 – December 2025

a. **More than 30, 20-30 and 10 years old cases**

For States with High Arrears viz. Uttar Pradesh, Bihar, West Bengal, Maharashtra and Odisha:

Dispose of all cases over 30 years old (including remaining cases which could not be disposed of in Phase III).

Dispose of cases which are between 20–30 years old (including remaining cases which could not be disposed of in Phase III). Endeavour should be made to dispose all such matters during Phase IV.

For States with Pre-Set Targets of 80% and 50% (as set in Phase II):

Continue efforts to dispose of any remaining 20–30 year old cases. Set additional locally tailored targets for disposal of cases that are 10 years old.

For Other States:

Ensure that all cases older than 10 years are resolved (including remaining cases which could not be disposed of in Phase III), with progress tracked and finalized by the end of Phase IV.

b. **Identification and Disposal of 50 Oldest Cases in Courts**

In courts with fewer than 50 cases over 10 years old, or with no such cases, the District Case Management Committee (DCMC) shall:

(i) Identify the 50 oldest pending cases (including remaining cases which could not be disposed of in Phase III). Out of these 50 cases, the focus should be on 25 criminal cases and 25 civil cases, excluding execution petitions.

(ii) Continue to publicly notify the identified cases on court notice boards and to the Bar Association.

(iii) Dispose these cases by the end of December 2025, provided they are not stayed by higher courts. This approach is expected to ensure that even in courts

with a lower volume of extremely old cases, the oldest cases still receive priority and efforts made for timely resolution.

c. **Reiteration of Phase II Targets in Exclusive Courts for the Fourth Phase**

In the fourth phase of action plan, High Courts may set the targets that were initially set in Phase II, in the following manner:

- Family Courts: 100 oldest cases
- Commercial Courts: 100 oldest cases
- Juvenile Justice Boards: 100 oldest cases
- POCSO Courts: 50 oldest cases
- Courts exclusively handling offences against women: 50 oldest cases
- Courts handling Prevention of Corruption Act cases: 25 oldest cases
- Courts handling Negotiable Instruments Act cases: 300 oldest cases
- Land Acquisition Cases (LAC): 200 oldest cases
- Motor Accident Claims Tribunal (MACT) matters: 100 oldest cases

The above targeted matters be monitored and the progress of case disposal in these courts be followed up to identify bottlenecks and areas for improvement.

d. **Execution Petitions:**

(i) In compliance of directions given in ***Periyammal (Dead Thr. Lrs.) v. V. Rajamani And Anr. Etc. 2025 INSC 329***, the High Courts must identify and prepare a list of execution petitions pending for more than 6 months from the date of filing. Such cases must be prioritised and disposed of expeditiously. Principal District and Sessions Judges may also consider redistribution of the execution petitions to give effect to the directions given above.

(ii) If no execution petitions older than 6 months are pending, continue focus on resolving the oldest 20 execution petitions to ensure timely enforcement of judgments. This targeted approach is to ensure that even in courts with a relatively lesser backlog, the oldest and potentially most delayed execution petitions are prioritised, facilitating timely enforcement of judgments and effective administration of justice.

e. **Framing of issues**

In civil cases, where framing of issues has been pending more than one month after pleadings are complete, continued efforts should be made to expedite framing of issues in such cases. To implement this objective, courts may establish timelines for framing of issues, monitor progress and track the time taken to frame issues and adjust the timeline as needed to ensure efficient and effective case disposal.

f. **Framing of charges**

Similarly in criminal cases, continued efforts should be made to expedite framing of charges within one month where charges are required to be framed as per law. Expediting framing of charges enables the trial to proceed in a timely manner, reducing delays and promoting efficient justice delivery. It also ensures that the rights of the accused are protected, including the right to a speedy trial and adequate preparation to defend himself/herself. Further, delay in framing of charges may affect the sanctity of evidence on account of unavailability of witnesses, gaps in memory due to lapse of time etc. which may ultimately impact the outcome of the trial.

g. **Disposal of Interim Applications**

Expedite the disposal of interim applications in civil suits that have been pending for over three months (including remaining applications which could not be disposed of in Phase III). Continuous efforts to dispose of interim applications at the earliest would ensure the timely progress of the main case, help prevent delays in the trial process, facilitate the delivery of justice by addressing interim issues and contribute to reducing the pendency of cases.

h. **Addressing delay in service of summons/notices**

Identify and prepare a list of civil cases pending for more than 5 years on account of non-service of summons/notices. Such matters should be prioritised

and focus shall be on effecting service on the parties/witnesses. The District Case Management Committee (DCMC) may collaborate with all the stakeholders including officials from Revenue department, to effectuate service of summons/notices.

3.2.5 Phase V: January 2026 – June 2026

a. **Complete disposal of 30 years and 20-30 years old cases**

In the states of Uttar Pradesh, Bihar, West Bengal, Maharashtra and Odisha, focus shall be on final disposal of any remaining cases over 30 years and 20–30 years that could not be disposed of in the earlier phases, to bring down the number to zero.

In all other states, focus shall be to bring down the backlog of cases older than 10 years, if any remaining after Phase IV to zero.

The High Courts may allocate necessary resources to facilitate efficient disposal of cases. Progress of cases may be tracked and strategies adjusted in accordance with the special requirements.

b. **Identification and Disposal of 50 Oldest Cases in Courts**

In courts with fewer than 50 cases over 5 years old, or with no such cases, the District Case Management Committee (DCMC) shall:

(i) Identify the 50 oldest pending cases (including remaining cases which could not be disposed of in Phase IV). Out of these 50 cases, the focus should be on and 25 criminal cases and 25 civil cases, excluding execution petitions.

(ii) Continue to publicly notify the identified cases on court notice boards and to the Bar Association.

(iii) Dispose these cases by the end of June 2026, provided they are not stayed by higher courts.

c. **Reiteration of Phase IV Targets in Exclusive Courts for the Fifth Phase**

Continue to enforce and, if necessary, adjust the targets set in Phase IV for exclusive courts viz Family Courts, Commercial Courts, Juvenile Justice

Boards, POCSO Courts, Courts exclusively handling offences against women, Courts handling Prevention of Corruption Act cases, Courts handling Negotiable Instruments Act cases, Land Acquisition Cases and Motor Accident Claims Tribunal matters). For an effective implementation of the plan, the District Case Management Committee (DCMC) may:

1. Set up mechanisms to track progress and identify areas for improvement.
2. Collaborate with stakeholders, including Bar Associations, Legal Services Authorities and law enforcement agencies.
3. Provide training and support to court personnel.
4. Regularly review progress and adjust strategies as per the unique needs.

d. **Continued efforts qua Execution Petitions**

(i) In compliance of the judgment in *Periyammal (Dead Thr. Lrs.) v. V. Rajamani And Anr. Etc. 2025 INSC 329*, the High Courts must continue identifying and preparing a list of execution petitions pending for more than 6 months from the date of filing. Such cases must be prioritised and disposed of expeditiously. Principal District and Sessions Judges may also consider redistribution of the execution petitions to give effect to the directions given above.

(ii) If no execution petitions older than 6 months are pending, focus shall be on identifying and disposing of the 20 oldest execution petitions.

The expeditious disposal of execution petitions is crucial for timely enforcement of judgments, reduces the likelihood of further litigation and disputes, protects the rights of decree-holders and ensures they receive the benefits of the court's judgment, enhances public trust in the justice system by demonstrating its effectiveness and improves the overall efficiency of the judicial system.

e. **Framing of Issues**

In continuation of Phase IV, endeavour shall be made, as a matter of routine, to frame issues in civil cases within one month of completion of pleadings.

f. **Framing of Charges**

In continuation of Phase IV, endeavour shall be made, as a matter of routine, to frame charges within one month where charges are required to be framed as per law.

g. **Disposal of Interim Applications**

Expedite the disposal of any remaining interim applications in civil suits from Phase III that have been pending for over three months. Continuous efforts to dispose of interim applications at the earliest would ensure the timely progress of the main case, help prevent delays in the trial process, facilitate the delivery of justice by addressing interim issues and contribute to reducing the pendency of cases.

OTHER STEPS TO BE TAKEN IN PHASE IV & V

a. **One-time physical verification and reconciliation of data**

Comprehensive Physical Verification Process:

Identify Pending Cases: Compile a list of all pending cases across District Courts and Special Courts.

Physical Verification: Conduct a thorough physical verification of each case, ensuring that all documents, orders, and judgments are present and accounted for.

Update Existing Records: Update the existing records to reflect the current status of each case, including any changes or developments on the NJDG Portal.

Reconciling Discrepancies:

Identify Discrepancies: Identify any discrepancies in the status/stage of case as in the physical files and the existing records on the NJDG Portal.

Reconcile Discrepancies: Reconcile the discrepancies by verifying and correcting incorrect information and dating undated cases

The objectives of this comprehensive physical verification process are to

Ensure Accuracy: Ensure the accuracy of the status/stage of the pending cases.

Improve Transparency: Improve transparency and accountability in the judicial process.

Enhance Efficiency: Enhance the efficiency of court proceedings by reducing delays and errors.

Validate Records: Validate existing records, providing a reliable and trustworthy database for future reference

b. Identification of cases pertaining to those incarcerated for more than 1/3rd of the maximum term of imprisonment

Data from Jails to be called qua the undertrials who have already served 1/3rd of the maximum period of imprisonment, so that these cases may be expedited for disposal. To achieve this objective, following measures be adopted:

1. Identification of eligible undertrials: Identify undertrials who have served 1/3rd of the maximum period of imprisonment for their alleged offence.
2. Data collection: To identify undertrials as mentioned above, following data qua these undertrials be called from Jails:
 - Date of filing of case
 - FIR details
 - Charges
 - Duration of imprisonment
 - Stage of trial
3. Expedited disposal: This data may be used to expedite the disposal of cases, potentially through priority listing, fast-track trials, bail hearings, plea bargaining etc.

c. Augmenting Infrastructure of Forensic Science Laboratories

Efforts should be made to ensure adequate infrastructure facility for Forensic Science Laboratories is present in proportion to the requirement of the courts at every level. To achieve this objective, efforts should focus on:

1. Assessing court requirements: Assessing the number and type of cases requiring forensic analysis, and estimating the corresponding infrastructure needs.
2. Infrastructure development: Developing and upgrading FSL infrastructure, including:
 - Laboratory space and equipment
 - Staffing and training
 - Technology and software
3. Capacity building: Building the capacity of FSLs to handle increased workloads and complex cases.
4. Quality assurance: Implementing quality assurance measures to ensure the accuracy and reliability of forensic analysis.

d. Addressing Shortages of Public Prosecutors

Endeavour should be made by all High Courts to expeditiously fill up the vacancies as and when they arise. To achieve this, the High Courts may:

1. Monitor vacancies: Regularly monitor vacancies and anticipate upcoming vacancies due to retirement or expiry of contract. The High Courts may establish a system to track vacancies and anticipated vacancies.
2. Expedited filling of vacancies: Make every effort in collaboration with State governments and other stakeholders to fill vacancies promptly, avoiding delays and ensuring continuity in judicial functioning.

e. Continuation of Other Steps which were taken in Phase I, II & III.

The steps qua redistribution of cases due to non-availability of judicial officers, Lok Adalat & Mediation, Unready Cases, Record with Appellate/Revisional

Courts, Stayed cases, Merit-based resolution of oldest/targeted cases, expedited handling of appeal/revision in targeted cases in higher courts, use of JustIS App/NJDG, use of virtual hearings in targeted cases, addressing the shortage of public prosecutors in courts, utilization of 'urgent case' feature in CIS for Action Plan cases, priority for cases involving individuals with terminal illness or senior citizens, minimizing adjournments and shorter dates in Targeted Cases and tailored case resolution targets for diverse districts be also continued for Phase IV and Phase V.

- f. **Regular Meetings with District Judiciary:** The High Courts may hold regular meetings with all the Principal District Judges (through Video Conferencing) and ensure that there is no artificial disposal of cases and adjournments are granted where reasonable cause is shown.
- g. **Monitoring and Continuous Feedback:** The High Courts to take review of compliance of APAaR (DJ) as issue of inequitable distribution of cases still persists. The High Courts may forward their suggestions qua enhancing effectiveness of APAaR(DJ).
- h. **Regular DCMC Meetings:** It should be ensured that regular meetings of District Case Management Committees be convened to review progress, reassign targets as needed and resolve bottlenecks hindering case disposal.
- i. **Inter-Agency Coordination:**
 - (i) Hold refresher meetings with senior police officers and Public Prosecutors.
 - (ii) Reaffirm appointment of a designated Nodal officer (including from the Revenue Department for decree proceedings) to oversee case-specific challenges, in case such Nodal officer has not been appointed.
 - (iii) Coordinate with State Governments to address vacancies and performance issues qua Public Prosecutors/Additional Public Prosecutors/Assistant Public Prosecutors through targeted training programs in Judicial Academies.

RECOMMENDATIONS:

- (i) To comply with the mandate of ***Periyammal (Dead Thr. Lrs.) v. V. Rajamani And Anr. Etc. 2025 INSC 329***, the High Courts may consider setting slightly higher unit criteria for disposal of execution petitions.
- (ii) The High Courts may consider incentivising the disposal of targeted cases (both civil and criminal) by granting higher units qua disposal of such cases.
- (iii) One-time physical verification of cases may be carried out during the short vacations of the Courts (Diwali, Holi vacations etc.) with the aim of completing the process by May 2026.
- (iv) Disposal of the cases should be in accordance with law. Even in targeted cases, adjournments should not be refused wherever genuine causes are shown.