

JUSTICE R.C. CHAVAN
VICE CHAIRMAN,
E-COMMITTEE,
SUPREME COURT OF INDIA
FORMER JUDGE, BOMBAY HIGH COURT



Room No. 814, 'B' Wing,
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New Delhi - 110 001.
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August 18, 2021

Dear Registrar General,

The Honourable Supreme Court of India has constituted a Committee for suggesting solutions for ensuring expeditious disposal of cases under section 138 of the Negotiable Instruments Act (cheque bouncing cases). The Committee had received several valuable suggestions from your High Court as well as other High Courts and stakeholders. After consolidating suggestions received, the Committee decided to invite stakeholders' responses to the suggestions on MyGov.

(Link to Survey: <https://www.mygov.in/mygov-survey/survey-speedy-disposal-cheque-bouncing-cases/>)

With the permission of the Hon. Chief Justice please display the link on High Court's, LSA's, and District Courts' websites and circulate to Bar Council, Bar Associations, and all the courts in the State with a request to display them on the notice boards. SLSA may also be requested to circulate the same to all Legal Aid Clinics in Law Colleges.

Since ultimately the suggestions will be implemented only through High Courts, may I request you to please send an action plan for implementing such suggestions as the High Court finds acceptable. Kindly recall that the Amici curiae in the PIL had requested all High Courts to prepare and share an action plan for disposal of these cases within six months of the institution. While the Committee will check with amici curie about the plan submitted by your High Court, it will be useful if you mail the action plan to me..

On the basis of information available on NJDG, we have prepared a spreadsheet showing institution / disposal / pendency and calculations of how many special courts will have to be set up under your High Court. It is annexed herewith. But may I also request you to please furnish the latest information about the institution, pendency, and disposal of cases under

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s.138 court-wise for the last three years, so that the number of additional courts that may be required to be established at various places could be worked out as per formula in judgment in *Intiaz Ahmed vs State of UP* (CRIMINAL APPEAL Nos. 254-262 OF 2012). As per information made available to the Committee, in your State, special additional courts may have to be established at various places as shown in the enclosed spreadsheet. It may also be useful to have information about the availability of infrastructure, manpower, and the possibility of the State Government funding establishment of additional courts.

May I also request you to identify courts/judicial officers who were the fastest and slowest in disposing of these cases so that the causes of delay may be correctly diagnosed. I am sharing a google form link to gather some further inputs for studying the movement of cases through trial and appellate courts. Please provide the information.

(Link :- <https://forms.gle/kbuANV5CPsqNHXUK7I>)

Please consider if, with the permission of the Hon. Chief Justice, forms of templates of e-filing, summons to be sent, a plea to be recorded could be developed and sent to the Committee. Without any change in law, if some model procedure for dealing with these cases could be suggested by the High Court that too would help the Committee in finalizing recommendations.

With Warm regards,

(R.C.Chavan)

Encl :- Statistics of Institution, Disposal of cases and Special Courts setup.

The Registrar General,
High Court of Judicature at Patna,