

OFFICE OF THE DISTRICT & SESSIONS JUDGE, MOGA

Office Order

Keeping in view the surge in the Covid-19 cases in the District Moga, the footfall in the Court Complexes needs to be curtailed. As such, in view of the letter No.80/RG/Spl./Misc. dated 17.04.2021 received from the Hon'ble High Court, it is ordered that w.e.f. 19.04.2021 till further orders the Courts of this Sessions Division shall take up the cases of following categories only:

1. Bail applications, stay matters, sapurdari matters, protection petitions either through physical hearing or virtual hearing mode.
2. Civil cases in which service has been effected can be taken up to mark the presence of parties in person or through counsel filing power of attorney.
3. Advocates who wish to file written statement/reply may file the same in concerned court. Parties need not appear in person.
4. No evidence shall be recorded in civil cases except in time bound cases or in urgent matters to be decided by concerned court.
5. In Family Court, matters pertaining to Section 13-B HMA shall be taken up to record statements of parties and to hear the arguments. Family Court shall also take up the cases fixed for hearing on interim maintenance applications and for final arguments. The Court can also take up any other urgent matter on the receipt of application from the concerned parties.
6. No evidence shall be recorded in criminal cases except in cases of crime against women, Juvenile Justice Act and cases in which accused are in custody. However Magistrates can also record evidence in criminal cases which are more than two years old and accused are on bail depending upon the cause list of the said court.
7. Presence of accused, who are on bail can be exempted on the request of their counsel.
8. Cases fixed for arguments can be heard either through V.C. or physical hearing where counsel for both parties agree.
9. In case any one wants any other matter to be taken up by the court concerned on the ground that there is some urgency involved, he can move an application before the court concerned which shall deal with the same accordingly.
10. The other routine matters/cases shall be taken up and adjourned to suitable dates by the court concerned and shall be uploaded thereafter on the CIS.

Sd

11. The under trial prisoners from the jail shall be produced before the courts only through Video Conferencing. However, in case there is any requirement of physical hearing of a particular under trial prisoner in any court, the concerned court shall pass specific order qua that aspect.
12. The litigants shall not be allowed to enter the court complexes unless his/her presence is required in the court.
13. The Advocates shall also maintain the norms of social distancing and follow the guidelines issued by the concerned authorities while appearing in the courts. They are further advised to avoid overcrowding and in case of utmost necessity, they may appear along with only one assistant that may be either clerk or junior advocate. Neither advocate nor his clerk shall visit any room of the complex/office or branches of any court to maintain social distancing.
14. Supply of certified copies shall be through window of the Copying Agency.
15. The guidelines/advisories and other SOPs issued by the Hon'ble High Court, Government of India and State Government from time to time shall be complied with strictly.

All concerned to note.

Sd

District & Sessions Judge,
Moga.

Dated 18-04-2021

Endst. No. 750 /EB

Copy forwarded to:

1. The Registrar General, Punjab & Haryana High Court, Chandigarh, through email for information.
2. All the Judicial Officers, Sessions Division, Moga,
3. The District Attorney, Moga,
4. The Deputy Commissioner, Moga, through email,
5. The Senior Superintendent of Police, Moga through email,
6. The Superintendents Central Jail, Ludhiana, Central Jail Ferozepur, Central Jail Faridkot and Sub Jail, Moga, through email.
7. The Presidents Bar Associations, Moga, Nihal Singh Wala and Baghapurana,
8. Filing Clerk, System Officer/System Assistant, Moga, Nihal Singh Wala and Baghapurana,
9. A copy of this order be also pasted on the notice board of this Court for information and necessary action.

Sd

District & Sessions Judge,
Moga.