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PATNA HIGH COURT

No. 61878/Adm. Rules

The 26th November 2014

**ADDENDA AND CORRIGENDA
TO
PATNA HIGH COURT RULES, 1916
(Fifth Edition)
C.S. No. - 138**

The existing Part-IV- Miscellaneous, Chapter-XIV of the Patna High Court Rules, 1916 regarding Information and Copies be replaced by following Part- IV-Miscellaneous, Chapter- XIV with immediate effect.

CHAPTER XIV

INFORMATION AND COPIES

- The provisions contained in Chapter III shall, as far as possible, apply to the applications made under this Chapter.
 - This Chapter will come into effect from the date of its publication in the Bihar Government Gazette.
- All applications for search/ examination/ inspection of the records or for certified copies of the judgments/ orders/ pleadings/ documents/ evidence shall be made under this Chapter and shall be tendered/submitted in the Copying Section on any working day between 10.30 a.m. and 1.30 p.m

- i) Applications for copy will be made in Form 'A' appended to this Chapter.
 - ii) Applications for search/examination/inspection will be made in Form 'B' appended to this Chapter.
 - iii) Applications for information will be made in Form 'C' appended to this Chapter.
3. For the purpose of this Chapter :-
- a) "Court" or "this Court" means the Patna High Court or the High Court of Judicature at Patna.
 - b) "Day/s" wherever used in this Chapter will mean working day/s.
 - c) "Public Officer" means an officer in Class I or Class II service of the Central/State Governments or the Chief Executive Officer/ Secretary of any Local Self Government (Municipal Corporations/ Municipalities/ Panchayats).
 - d) "Public Purpose" means the copy required for the record of the Central/State Government/ Local Self Governments (Municipal Corporations/Municipalities/ Panchayats) or for production in any legal proceeding before a Court/ Tribunal/ Authority.
 - e) "Proceeding" means any suit/ appeal/ petition/ application instituted/ preferred/ filed/ made in/ before/ to this Court, whether pending/ disposed of.
 - f) "Record" means the record of the proceeding filed in this Court or the record of any proceeding filed in any court or tribunal or before any authority, if called for by this Court and is lying in the possession of this Court.
4. The fees chargeable under this chapter will be paid through franking machine located in the high court complex or by plastic money or in cash or by any other electronic mode.
5. A fee will be charged for furnishing certified copies:-
- a) At the rate of Rs. 5/- for every page of the judgments/orders/pleadings/documents/evidence.
 - b) In case of pleadings/ evidence/ document filed/ recorded/ exhibited in a suit/ appeal/ application instituted/ preferred/ made to a civil court subordinate to the High Court, the fees as may be chargeable under the Court – fees Act, 1870.
 - c) In case of maps and Plans a fee at the rate of Rs.50/- per map or plan.
 - d) A fee of Rs. 10/- will be charged on every application for search and examination/inspection/information of the record of any proceeding filed in the High Court or of the lower Court record called for and lying in the possession of the High Court.

Clarification:

- i) Fees at the rate specified in the foregoing clauses of this rule will be charged on ordinary applications.
 - ii) Fees at double the rate specified in the foregoing clauses of this rule will be charged on urgent applications.
- Provided that no fees will be charged:-
- i) On application for search/ examination/ inspection/ information/ copy made by a public officer if required for a public purpose.
 - ii) On applications for copy of the judgment or order recording conviction/ acquittal of a Government servant in case such application is made by the head of the department concerned.
6. The advocates on record may, on payment of the specified/ prescribed fees, apply for copy of the judgments/ decrees/ orders passed/ made by this court in any proceeding.
7. Applications for search / examination / inspection / information of the records or for the certified copies of the judgments /orders /pleadings /documents /evidence in any proceeding may be made by:-
- a) A party to the proceeding if the party has appeared in person.
 - b) The advocate on record if the party has appeared through the advocate.
 - c) A "Public Officer" if the search/ examination/ inspection/ information/ copy is required for "public purpose".
8. A stranger to the proceeding may:-
- a) For the reasons/ purpose recorded in writing in the application made personally or through the advocate on record, apply for the certified copies of the judgments/ orders/ pleadings/ documents/ evidence in the matters decided by the high court.
 - b) For the reasons/purpose recorded in writing in the application personally or through the Advocate on Record, apply for search/ examination/ inspection/ information of the records or for the certified copies of the Judgments/ Orders/ Pleadings/ Documents/ Evidence in the matters decided by the High Court.
9. The application made by the stranger to the proceeding will be processed only if the Joint Registrar (Judicial) is satisfied about the *bona fide* requirement.
10. A fee at double the rate specified in this chapter will be charged on the applications made by the stranger/s to the proceedings.

11. Procedure for application for information and for processing such application (applications be made in Form 'C' attached to this chapter):-
- a) Applicant will enter identical particulars of date, name & Residence in both parts of form 'C' appended to this chapter.
 - b) The officer receiving the application will enter the plausible date for furnishing the information in column 04 in part I & part II of the Form 'C'.
 - c) Duly filled in part II of the Form 'C' will be handed over to the applicant. The applicant will enter his signature in column 05 of Part I of Form 'C' in proof of the receipt.
 - d) Part I of Form 'C' duly filled in will be passed over to the Section Officer of the concerned Section before the closing of the day, but in no case later than the next succeeding day.
 - e) The concerned Section officer will receive the Form & will enter the remarks/ necessary information in column 6 of the Form and will return to the receiving officer within not more than 04 days from the date of requisition.
 - f) On receipt of part I of Form 'C', the receiving officer will make it over to the applicant.
 - g) In the receipt thereof, the Applicant will put his signature & date in column 06 of part II of Form 'C'. The receiving officer will recover Part II of Form 'C' from the applicant.
 - h) All Part II of Form 'C' recovered from the applicants will be neatly filed & will be retained for one month.
 - i) After expiry of one month, part II of Form 'C' retained by section will be destroyed and recycled.
12. On receipt of the application for search/ examination/ inspection of the records or for the copies of the judgments/ orders/ pleadings/ documents/ evidence the Registry will process the same as under :-
- a) Every application for a copy of Order/ Judgment/ Petition/ Memo of Appeal or any Proceeding will be consecutively numbered and entered in the register (digital and or non-digital).
 - b) After receipt of requisition, within not more than 3 days, requisition will be examined for further process. Defective or incomplete requisition will not be processed further until the defect is rectified or the requisition is made complete on payment of Rs. 3/- for each requisition.
 - c) The fees payable on valid or complete requisitions will be assessed within 5 days of receipt of the requisition.

- The assessment will be displayed on Patna High Court Website and the notice board of the copying section after Court hours on the same day.
- d) The Section Officer of the Copying department if necessary will call for the relevant records from the concerned section, not later than on the next working day. The concerned section will send the record immediately but not later than 3 days in case of pending proceeding and five days in case of the disposed of proceeding. On receipt of record in the copying section, the fees will be assessed within not more than two days for such records.
 - e) The applicant will make the payment of the fees assessed within three days from the date of display on the website or the notice board. Fees will be paid between 11:30 A.M. and 01:30 P.M.
 - f) On receipt of fees, requisitions will be processed further.
 - g) On receipt of fees, the amount will be entered by the section officer of the copying section in the main Form and the counter foil in the Form annexed at Appendix A to this chapter.
 - h) The Section Officer will state the date of delivery of the copy both on the main Form and the counter foil (Appendix A annexed to this chapter).
 - i) Section Officer of the Copying section will cause the copy to be made thereupon.
 - j) The copy will be furnished on the presentation of the counter foil.
 - k) In case of digital records, certified copy of Judgment/Order will be furnished on the date of receipt of the valid application complete in all respects and on payment of the fees.
 - l) At the time of delivery of the copy, the Section Officer will secure the signature of the person receiving the copy on reverse of the application in proof of receipt of the copy.
 - m) If copy is not received by the applicant within 30 days from the date of display. The copying section will destroy the same through re-cycling.
 - n) In case of certified copies, Deputy Registrar or his nominee will certify it to be true copy under his signature and will put the seal of the Patna High Court.
 - o) After delivery of the copy, requisitions will be preserved for six months. On expiry of the six months, the requisitions will be processed for destruction through re-cycling.

13. When a certified copy of a decree, judgment or order is issued the following particulars shall be recorded on the last sheet of the copy.

Date of application for the copy

Date of notifying the fees payable

Date of payment of fees.....

Date on which the copy was ready for delivery.... ..

Date of making over the copy to the applicant... ..

For digital records as follows:-

Date of Requisition		Date of Delivery	
---------------------	--	------------------	--

14. On the back of the last sheet of the copy shall be recorded the cost paid by the parties applying for copies in the Form given below for non-digital records:-

	Rs.	Paisa
Application for copy
Search fee
Extra fee for urgency
Fees
Other items, if any
	Total.....	

For digital records as follows:-

Number of Pages		Total Cost	
-----------------	--	------------	--

15. In case of difficulty, the interpretation made by the Chief Justice or by the Judge nominated by the Chief Justice in this behalf or by the Registrar General, if nominated by the Chief Justice will be final and binding.

The copies will be made on A4 size paper only.

The computer print will be made in Times New Roman font of 12 size and 1 ½ spacing.

APPENDIX (Under this Chapter)

- a) Applications for copy Form 'A'.
- b) Applications for search/ examination/ inspection Form 'B'.
- c) Applications for information Form 'C'.

File No. – Misc.-10-2014 (Administrative Rules)

Dated :2014

**By Order of the Court,
 Sd./Illegible,
 Registrar General.**

APPENDIX – A

Sl. No.

(P.H.C.-VI-3)

IN THE HIGH COURT OF JUDICATURE AT PATNA

(Correct option may be tick marked)

Application for copy – Urgent / Ordinary Simple / Certified

Pending / Disposed - Date of Disposal (If disposed of) –

Case No.

(Appellant's / Petitioner's Name)

.....

(To be filled by Copying Section)

Fee Chargeable Rs.....
 Mode of payment Stamp / Cash / E-payment / Card
 Whether exempted from Fee Yes / No
 Date of Notification
 Supplied by the applicant on
 Record received on
 Copy will be ready on
 Copy delivered on

(To be filled by the Applicant)
 Description of document of which
 copy is wanted

Purpose:.....

Application is made by Applicant / Respondent / Public Official / AOR / Advocate
 Clerk / Any Other

Mobile No.

Signature of the applicant

E-mail ID

Date –

Counter Foil

Sl. No.

Fee Chargeable Rs.....
 Mode of payment Stamp / Cash / E-payment / Card
 Whether exempted from Fee Yes / No
 Supplied on
 To attend for Copy on

Note:- All charges must be paid within three working days of notification. In complete or defective application will not be entertained / processed at all. Copy will be furnished only on the production of this court foil.

FORM – 'B'

(P.H.C. Sch. VI-7)

FORM OF APPLICATION FOR INSPECTION OF PENDING HIGH COURT RECORD

Number and class of cases and name of parties	Purpose for which inspection is desired	Name of the Advocate applying

Certify that I filed _____ in the case
a Vakalatnama
an appearance slip

Signature of the Advocate

(P.H.C. Sch. VI-4)

FORM – 'C'

Application for information

Number and date	Name and residence of Applicant	Nature of the information required	Date of which the information is to be ready	Signature of the Officer receiving the application	Remarks
1	2	3	4	5	6

Number and date	Name and residence of Applicant	Nature of the information required	Date of which the information is to be ready	Signature of the Officer receiving the application	Remarks
1	2	3	4	5	6

Note:- The person applying for information is to fill up columns 1 (except the Nos. 2 and 3) and present it to the officer appointed to received such applications who if the information required cannot be immediately supplied, will fill up, test off and return the bottom part of the form to the applicant.

ADDENDA AND CORRIGENDA
TO
PATNA HIGH COURT RULES, 1916
(Fifth Edition)
C.S. No. – 139

The existing Chapter – IIIA of the Patna High Court Rules, 1916 regarding filing procedure be substituted by following Chapter- IIIA with immediate effect.

CHAPTER IIIA
FILING PROCEDURE

With the introduction of centralized filing for all petitions, applications, appeals and affidavits, it has become necessary to evolve a uniform practice and procedure for the same. Chapter III-A was introduced on 30.09.1996 and was amended from time to time. It is noticed that there are different filing procedures for different types of applications, which is undesirable and difficult to be incorporated in the Computer Software Program and Data Flow Management. It has thus become necessary to revise the filing procedure and make it uniform, in supersession of all other procedures specified in the Patna High Court Rules or may otherwise be prevalent.

The existing Chapter IIIA of the Patna High Court Rules be substituted by the following Chapter IIIA.

Chapter IIIA-Filing Procedure:-

The procedure prescribed in this Chapter will come into effect immediately, but will be made compulsorily applicable with effect from 1st January 2015.

1. All proceedings/pleadings under original or appellate or miscellaneous (civil/criminal) jurisdiction or any other jurisdiction shall be presented for filing only at the centralized filing counter before the Designated Officer.

(i) Designated officer will be nominated by the Registrar General.

(ii) For the purpose of this rule "the proceeding" will mean and include suit, counter claim, appeal, cross objection, petition, application, miscellaneous application, caveat, and the like.

(iii) For the purpose of this rule "the pleading" will mean and include written statement/ Affidavit filed in any proceeding.

Provided that this procedure will not apply to the proceedings for which a special procedure is prescribed by any statute/ rule made in that behalf.

2. All proceedings/pleadings shall be presented and received at the centralized filing counter from 10.30 am to 1 pm and 2.15 pm to 3.30 pm on Court working days and from 10.30 and to 1 pm on Saturdays (except the closed Saturdays).

3. (i) (a) The proceedings/ pleadings shall be bound in a Paper Book form.
- (b) The proceedings/pleadings shall be on A-4 size Bond Paper.
- (c) The top margin and the left margin shall not be less than 2 inches and the bottom margin not less than 1 inch.
- (d) Typing/ printing shall be in Font Size 12 and in one and half spacing.
- (e) The proceedings/ pleadings shall bear running page number and annexure numbers.
- (f) Every Proceeding shall be accompanied by synopsis, where necessary, giving relevant dates of events in chronological order.
- (g) Photo state copy of a document appended as annexure, if not legible, shall be followed after the document by a typed copy of the annexure and shall be attested by the Advocate on Record as "true copy".
- (ii) All proceedings shall be filed with a duly filled in Presentation Form (civil/criminal) annexed to this chapter as 'Appendix A(i) and A(ii)' respectively.
- (iii) Save and except where the impugned order/s is a judgment or order of a Court or statutory Tribunal, in all other Civil and Criminal Writ proceedings the proceedings whereof are supported by affidavit as prescribed, the annexures including impugned orders/judgments need not be certified copies, but have to be true typed copies or true photo copies of such document/s.

4. Memo of Appeal in relation to Letters Patent Appeal under Clause 10 of the "Letters Patent constituting the High Court of Judicature at Patna" arising out of a petition under Article 226 and/or 227 of the Constitution of India, shall contain a brief statement of the plea of the writ petitioner/s and the defense raised by the respondent/s in the Writ Petition and the grounds of appeal. The Judgment/Order under challenge will be annexed to the Appeal Memo. No other document or no new facts shall be incorporated in the Appeal Memo.

Memo of Appeal shall be presented for filing along with one copy of the complete Set of the Paperbook before the learned Single Judge in the original writ proceedings.

Explanation: - For the purpose of this Rule, the Paperbook shall mean and include

- i) Copy of the writ petition complete with annexures;
- ii) Affidavits with all annexures (supplementary, counter, reply to counter or any other) filed in the writ petition in the same order as in the writ petition; and

- iii) Interlocutory Application for amendment, if allowed by the learned single judge. No other papers or applications filed in the writ petition shall form part of the paperbook.

The Court may allow the appellant/s to bring on record additional materials or new facts by a specific order made on Interlocutory Application made in this regard.

Interlocutory Application for stay or for interim relief may be filed either alongwith the Memo of Appeal or at any time pending the Appeal.

5. All such proceedings presented for filing shall be entered in the Computerized/Digital Register maintained for the purpose and the person presenting the same shall, thereafter, be granted a receipt with token number and date and other particulars.

The nature of proceedings, case type and case number, where proceedings are in relation to a pending case, the date of presentation and such other information will be electronically generated as may be specified by the orders of the Chief Justice from time to time.

Once the token number is generated upon presentation, the court will become the custodian of the record and proceedings/pleadings will not be returned or made available to any person/advocate or party under any circumstance.

Where the proceeding/pleading filed relates to a pending case, it shall be sent to the respective section for being tagged to the records of such pending case for the stamp reporting by the concerned section of the registry.

6. (i) If in course of and as a consequence of stamp reporting, any defect or deficiency is pointed out, the matter shall be so reported as early as possible, but in not more than 3 working days in the form as prescribed from time to time.

All defective proceedings will be displayed on the Patna High Court website daily at the closing time with reference to the token number, case type, the party name and the name of the A.O.R., through whom such proceedings are filed.

In case the Stamp Reporter is unable to complete the Stamp Reporting within specified 03 days for want of relevant record/for any other reason, he shall complete Stamp Reporting within 15 days from the date of filing. In case, Stamp Reporting is not completed within specified 15 days the stamp reporter will submit report to Section Officer. The Section Officer will forward the report of all such matters to the Joint Registrar (Judicial) or to any other officer, who the Registrar General may nominate for this purpose.

The report will be submitted in the Form annexed to this Chapter as Appendix 'B'.

On receipt of the above information in Form 'B' the Joint Registrar (Judicial) or the Officer nominated for this purpose will take necessary steps to complete stamp reporting.

- (ii) Upon display of defect or deficiency, the concerned A.O.R. will remove the defects within two weeks from the date of display on the website and at the Bar Associations. In case the proceeding is barred by law of limitation & the application for condoning the delay in filing the proceeding is filed, proceeding will not be treated as defective being time barred. The proceeding once filed will not be returned to the Advocate on Record. The advocate or his registered clerk will remove the defects within the Court premises at the place assigned for the same.
- (iii) If the defect and/or deficiency is not removed or cured within the aforesaid period of two weeks, such proceedings will be listed before the designated Joint Registrar in Lawazima Board with token number, case type, party name and name of Advocate on Record and will be displayed on website and on the notice board of each bar association.
- (iv) The Joint Registrar (Lawazima) may extend the time for removal of defects/deficiency but not beyond two weeks from the date of the Lawazima order. In case of defective stamp reporting the Joint Registrar (Lawazima) may remit the matter for fresh reporting. Provided that in case the Advocate on Record raises dispute in respect of correctness of stamp reporting, particularly in respect of assessment, demand or payment of court fees, the matter shall be referred by the Joint Registrar(J) to the Lawazima Board of the Registrar General for appropriate orders. Where the Registrar General is not in a position to adjudicate the Registrar General will place the matter before the Bench.
- (v) If the defects and/or deficiencies are not removed or rectified within the time granted by the Lawazima Board of the Registrar General, the Registrar General will place the matter before the Bench under the heading "For orders".
- (vi) The matter for removal or rectification of defects will be listed under heading "For Orders" with reference to the token number. The concerned Court may grant further time for removal and/or rectification of the defect.
- (vii) On failure to remove/cure/rectify the defect/deficiency within the time specified by the Court, on expiry of the specified time, the proceeding will stand dismissed for non-prosecution and a regular case number will be generated.

After removal of the defects or deficiency, the proceeding will be registered and a case number will be assigned.

7. Proceeding dismissed for non-prosecution under this chapter/preceding rule, will be displayed on the Patna High Court website and also on the notice board of each bar association, on the first Monday of every month. In case the Court is closed on first Monday of the month, on the next succeeding working day. If application for the restoration of proceeding is not made within the period of limitation specified in the Limitation Act or any other Act applicable or in absence of any statutory limitation, within 30 days from the date, the proceeding stood dismissed for non prosecution, the papers will be destroyed after 45 days after the expiry of limitation or 30 days as the case may be. Before records are destroyed as above, they shall be electronically scanned and digitally preserved.
8. All such proceedings, which are reported defect free or are made defect free, as aforesaid, shall ordinarily be posted for 'Admission' on the following day and if it relates to a pending case it would be tagged with its case records. Provided that interlocutory applications filed in any case which is already posted before the Court, would be tagged with the case records and upon urgency being shown to the satisfaction of the Court, would then be listed as per orders of the Court for its consideration.

File No. – X-04-2013 (Administrative Rules)

Dated :2014

**By Order of the Court,
Sd./Illegible,
Registrar General.**

IN THE HIGH COURT OF PATNA AT BIHAR

PRESENTATION FORM FOR CIVIL MATTERS

Columns in dark to be filled in by the registry

Case Title	Code	
Token No.		
Case No.		
Filed Under Sections		
District	Code	
Before Single Judge / Division Bench / Spl. Bench		

**Petitioner's/Appellant's/Applicant's
(Original Party)**

Mobile No., E-mail ID & Address (with pin code)	
Advocate's Name	Code

Versus

Respondent/s Opponent/s (Original Party)

Mobile No., E-mail ID & Address (with pin code)	
Advocate's Name	Code

Particulars of the Court / Authority below		Code
Case Type	Number	Year
Date of impugned decision/order		

Particulars of the Court / Authority of first instance		Code
Case Type	Number	Year
Date of decision / order of Court / Authority of first instance		

In case of group, particulars of lead/other matter/s:

--

Advanced Copy Served to Otherside/Caveator /GP

Subject Matter	
Code	
Act Code	

Presented With Court Fee Stamp:

On the Memo

Rs.

On the Vakalatnama

Rs.

On the Certified Copies

Rs.

On the Affidavit

Rs.

Total Rs.

Total (in Words) Rupees

Advocates' Welfare Fund Stamp

Rs.

Presented for

Presented by _____ (Sign.)

(_____) Name

This _____ day of _____ 20

Received By	
Entries Made By	
Checked By	

Received additional Court Fee

Stamp of Rs.

Total (in words) Rupees

This _____ day of _____ 20

Received Clerk	
----------------	--

Date :

Advocate:

IN THE HIGH COURT OF PATNA AT BIHAR**PRESENTATION FORM FOR CRIMINAL MATTERS****Columns in dark to be filled in by the registry**

Case Title	Code	
Token No.		
Case No.		
Filed Under Sections		
District	Code	
Before Single Judge / Division Bench / Spl. Bench		

**Petitioner's/Appellant's/Applicant's
(Original Party)**

Mobile No., E-mail ID & Address (with pin code)	
Advocate's Name	Code

**Versus
Respondent/s Opponent's (Original Party)**

Mobile No., E-mail ID & Address (with pin code)	
Advocate's Name	Code

Particulars of the Court below		Code
Case Type	Number	Year
Date of impugned decision/order		

Particulars of the Court below		Code
Case Type	Number	Year
Date of decision / order of Court of first instance		

Police Station's Name	Code
FIR Number / Complain Case Number	Date

In case of group, particulars of lead/other matter/s:

--

Subject Matter	
Code	
Act Code	

Presented With Court Fee Stamp:

On the Memo

Rs.

On the Vakalatnama

Rs.

On the Certified Copies

Rs.

On the Affidavit

Rs. Total Rs.

Total (in Words) Rupees

Advocates' Welfare Fund Stamp

Rs.

Presented for

Presented by _____ (Sign.)

(_____) Name

This _____ day of _____ 20

Received By	
Entries Made By	
Checked By	

Received additional Court Fee

Stamp of Rs.

Total (in words) Rupees

This _____ day of _____ 20

Received Clerk	
----------------	--

Date :

Advocate:

FORMAT OF REPORT FOR STAMP REPORTING

Name of the Section Officer :

Date of Reporting :

Proceeding / Case Type	Token Number	Date of Filing	Reason for non examination	Name of the Stamp Reporter

Signature and Computer generated
stamp of the Section Officer

**ADDENDA AND CORRIGENDA
TO
PATNA HIGH COURT RULES, 1916
(Fifth Edition)
C.S. No. - 140**

Existing format of Schedule V-9 of Patna High Court Rules, 1916 regarding Goswara/Talwana be substituted as follows with immediate effect:

गोसवारा/तलवाना

(To be printed on both sides of the page)

(पटना उच्च न्यायालय, अनुसुचि V-9)

उच्च न्यायालय पटना
(सिविल अपील अधिकारिता)

अपील संख्या

.....अपीलार्थी

बनाम

.....प्रत्यर्थी

अर्जीदारद्वारा प्रस्तुत आवेदन के संबंध में

सेवा में,

(1)

(2)

(3)

आपको नोटिस दी जाती है कि उर्पर्युक्त आवेदक ने इस न्यायालय में एक आवेदन प्रस्तुत किया है जिसकी प्रति इसे साथ उपविद्ध है । आपको इसके द्वारा निर्देश दिया जाता है कि आप दिनांकको कारण दिखाये कि उक्त आवेदन क्यों नहीं मंजूर कर लिया जाय अथवा न्यायालय ऐसा अस्थ आदेश क्यों नहीं पारित करे जो उचित समझे ।

निवेदन है कि दिनांककोबजे प्रत्यर्थी के सकूनत/पता पर जाकर तलाश किये ।

दिनांक

उच्च न्यायालय

सहायक निबंधक
उच्च न्यायालय के आदेशानुसार

तामिला प्रतिवेदन (Service Report)

– मुलाकात हुई। नोटिस कॉपी के तथ्यों से आगाह किया। आगाह होकर एवं समझकर अपने नाम की नोटिस लेकर रसीद बना दिया।

अथवा

– मुलाकात हुई। नोटिस लेने से इनकार किया तब मजबुर होकर एक प्रति नोटिस प्रत्यर्थी के रूख मकान पर लटका दिया । गवाहन ने गवाही बना दिया या गवाही बनाने से इनकार किया ।

अथवा

– मुलाकात नहीं हुई। मजबुर होकर एक प्रति नोटिस प्रत्यर्थी के रूख मकान पर लटका दिया । गवाहन ने गवाही बना दिया या गवाही बनाने से इनकार किया ।

अथवा

– बडा मुहल्ला होने के कारण पता नहीं चला । मजबुरन बिना तामिला वापस किया जाता है ।

अथवा

– मुलाकात नहीं हुई। पता चला कि प्रत्यर्थी घर से बाहर गये है। कब तक लौटेंगे कोई निश्चित नहीं है । तब मजबुर होकर बिना तामिला वापस किया जाता है ।

अथवा

– मुलाकात नहीं हुई। प्रत्यर्थी का स्थायी रूप से स्थानान्तरण हो चुका है। तब मजबुर होकर बिना तामिला वापस किया जाता है।

अथवा

– मुलाकात नहीं हुई । पता चला कि प्रत्यर्थी का देहान्त हो चुका है । गवाहन गवाही बना दिये या गवाही बनाने से इनकार किये ।

अथवा

– मुलाकात नहीं हुई । प्रत्यर्थी के परिवार के सदस्य से मुलाकात हुई । उन्होंने प्रत्यर्थी के नाम का नोटिस लेकर रसीद बना दिया ।

– अन्य टिप्पणी –

गवाहो के हस्ताक्षर एवं पता – (1)

(2)

प्राप्तकर्ता द्वारा घोषणा

मैं पुत्र/ पुत्री/ पिता/ पत्नी या अन्य संबंधी संबंध इस पता पर दिये गये नोटिस को उनकी ओर से मेरे द्वारा प्राप्त किया है जिसे निश्चित रूप से उन्हे सुपुर्द कर दूंगा/ दूँगी ।

दिनांक

घोषणाकर्ता का हस्ताक्षर

प्रोसेस तामिलाकर्ता / आदेशपाल का हस्ताक्षर

Affirmed before me by the above peon on the
.....at.....A.M./P.M

नाजिर का हस्ताक्षर

Comments of Registrar/Judge in charge -

Date :

Signature

Registrar/Judge In-charge

District -

File No. X-04-2014 (Admn. Rules)

Dated :2014

By Order of the Court,

Sd./Illegible,

Registrar General.

**ADDENDA AND CORRIGENDA
TO
PATNA HIGH COURT RULES, 1916
(Fifth Edition)
C.S. No. - 141**

In Chapter XII of Patna High Court Rules, 1916 following Rules 3 and 3A be added after Rule 2. The existing Rule 3 be omitted.

Rule 3 and 3A shall come into effect immediately but will be made compulsorily applicable with effect from 1st January, 2015.

RULE 3

Every pleading shall immediately below the title have endorsed it the jurisdiction of the Court under which an application has been filed and below that shall further have endorsed on it :-

- (i) If it is a memorandum of appeal, the words “Criminal Appeal u/s 341 Cr. P.C.”/ “Criminal Appeal (D.B.)”/ “Criminal Appeal (S.J.)”/ “Criminal Appeal (DB) (Against Acquittal)”/ “Criminal Appeal (SJ) (Against Acquittal)”/ “Criminal Appeal (U/S)”/ “Government Appeal (D.B.)”/ “Government Appeal (S.J.)”/ “S.L.A. (D.B.)”/ “S.L.A. (S.J.)” as the case may be,
- (ii) If it is an application for revision, the words “Criminal Revision”/ “Criminal Revision (Against Acquittal)”/ “Criminal Revision (Discharge)”/ “Criminal Revision (Juvenile Justice)”,
- (iii) In the case of miscellaneous matters of Criminal Jurisdiction, the words “Criminal Miscellaneous (Bail)”/ “Criminal Miscellaneous (Anticipatory Bail)”/ “Criminal Miscellaneous (Quashing)”/ “Criminal Miscellaneous (Restoration)”/ “Criminal Miscellaneous (Modification)”/ “Criminal Miscellaneous (Transfer)”/ “Criminal Miscellaneous (Cancellation of Bail)”/ “Criminal Miscellaneous (Discharge)”,
- (iv) In the case of writ petitions under Articles 226 and/or 227 of the Constitution in respect of matters related to Criminal Jurisdiction, the words “Criminal Writ Jurisdiction”.

RULE 3A

Every such pleading shall also appropriately state :-

- (a) the provisions of the Constitution or the Cr. P.C. or any other Statute under which the application is filed;
- (b) the full name, parentage and complete address of each appellant or applicant or petitioner;
- (c) the full name, parentage and complete address of each person who has been impleaded as opposite party/respondent;
- (d) in all matters arising out of a complaint case, the complainant shall be a necessary opposite party/respondent as the case may be;
- (e) full particulars of the case from which the application arises including the case number, if any, and the designation of the court below;

- (f) whether the applicant had earlier approached any Court including the High Court or the Supreme Court on any previous occasion for the same or similar relief, and if so, the case number, name of the Court and result of such previous case/proceeding to be clearly stated in paragraph two of the application before this Court;
- (g) an application for bail under Section 438 or 439 of Cr. P.C. shall also state the criminal antecedent of the applicant, if any, and particulars thereof, in paragraph three of the application before this Court;
- (h) facts of the case in brief;
- (i) ground or grounds numbered serially;
- (j) the case number and date of the order or judgment aggrieved by or impugned;
- (k) the relief prayed; and
- (l) where ever the applicant files and/or annexes a typed copy of any document, the AOR shall certify at the end of each such document that it is a true copy of such document;

File No. – Misc.-08-2014 (Administrative Rules)

Dated :2014

**By Order of the Court,
Sd./Illegible,
Registrar General.**

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