

MANDATORY RULES OF
C.G. HIGH COURT RULES, 2007
AND
IMPORTANT ORDERS TO FILE A FRESH CASE

C : CHECK LIST

Before registration of each case, the following points shall be checked :

1. Whether the contents of the petition/ appeal, applications and accompanying documents are clear, legible and typed in double space on one side of the paper. YES/NO
2. Whether the particulars of the impugned order and the orders passed by the court(s) below are uniformly written in all the documents. YES/NO
3. Whether the addresses of the parties and their representatives are complete and set out properly. YES/NO
4. Whether the cause title of the petition/appeal corresponds to that of the impugned judgment. YES/NO
5. Whether detailed cause title has been mentioned in the impugned judgment and if not, whether memo of parties has been filed. YES/NO
6. Whether the petition/appeal and applications bear the signatures of the counsel/petitioner. YES/NO
7. Whether the prescribed court fee has been paid. YES/NO
8. Whether the affidavit of the petitioner in support of the petition/appeal and applications had been filed. YES/NO

9. Whether the Vakalatnama has been properly executed by the petitioners/appellants and accepted by the Advocate and Memo of Appearance filed. YES/NO
10. Whether the Annexures referred to in the petition/list of dates are true copies of the documents before the Court below and are filed in chronological order. YES/NO
11. If the petition/appeal is time barred, whether application for condonation of delay mentioning the number of days of delay with affidavit and court fee has been filed. YES/NO
12. If a party in the court below has died, whether application for bringing LRs on record indicating the date of death, relationship, age and addresses along with affidavit and court fee has been filed. YES/NO
13. Whether paragraphs and pages of paper books have been numbered consecutively and correctly noted in Index. YES/NO
14. If any identical matter is pending in/disposed of by the High Court, whether complete particulars of such matters have been given. YES/NO

D : MANDATORY POINTS TO BE CHECKED

1. Certified copy of the impugned judgment has been filed and if certified copy is not available, application for exemption from filing certified copy has been filed.
2. The petition and the applications have been signed by the advocates/ petitioner in person.
3. An affidavit of the petitioner properly attested and identified has been filed.
4. Memo of Appearance has been filed.
5. Vakalatnama properly executed by the petitioner and duly accepted by the Advocate has been filed.
6. Proper court fee has been paid.
7. Proper and required number of sets have been filed.
8. Brief list of dates/events has been filed.
9. An application for condonation of delay has been filed if the matter is barred by limitation.
10. Typed copies of hand written/illegible documents, annexures.

(I) WRIT MATTERS

1. Whether Writ Petition has been drafted in accordance with these rules..... i.e. separate synopsis with date in chronological order, and whether grounds have been raised separately. Index with proper pagination.
2. Whether the Writ Petition has been filed forming Part I and Part II as per rule.
3. In P.I.L. matter; whether—
 - (a) The petition is accompanied by an application seeking leave for waiver of locus standi.
 - (b) The petitioner has made a statement to the effect that he has no personal/individual interest in the subject, and if he has personal/ individual interest, he has disclosed it i.e. the petitioner falls within the group or society or community for whose benefit the PIL has been filed.
 - (c) Earlier public spirited antecedents of the petitioner, if any.
 - (d) The petitioner has submitted proof of deposit of the security amount of Rs. 5,000/- if not, application for exemption from depositing security amount.

(II) CRIMINAL MATTERS

1. Whether—
 - (a) Appeal/application/revision has been drafted in accordance with the rules.
 - (b) In case of appeal/revision against sentence the accused has surrendered to sentence.
 - (c) Has been accompanied by certified copy of order appealed against and spare copy as per rule except where the accused person is in duress.
 - (d) In case of revision against charge :—Whether the petition is accompanied by :—
 - (i) Copy of charge sheet/copy of F.I.R.
 - (ii) Copy of order.
 - (iii) Copies of statement recorded under Sections 161 and 164 of the Cr. P.C.
 - (iv) Medical report in case of bodily injury.
 - (v) Copy of any other material document.

(III) BAIL MATTERS

Anticipatory bail application

1. Affidavit of the petitioner or of any person acquainted with the facts, ventilating “Reasonable belief”.
2. Certified copy of earlier order (in case of subsequent bail petition).
3. Certified copy of order of Sessions Judge.

Petition under Section 439

1. Name of Police Station.
2. Crime Number.
3. Offence punishable under Section.
4. Certified copy of order passed by Sessions Judge.

Arising out of Order passed in pending case

1. Certified copy of order passed by the Trial Court.

Application disposed of with a direction to approach again

1. Earlier order passed by the High Court.
2. Copy of order passed by the Trial Court.

(IV) Petition under Section 482 of the Code of Criminal Procedure For quashing :—

- (A) Copy of F.I.R.
- (B) Copy of Challan.
- (C) Copy of proceedings.

(V) Criminal Revision (Against Charge)

- 1. Certified copy of order.
- 2. Copy of charge.
- 3. Medical report (in bodily injury case)
- 4. Document submitted by prosecution alongwith challan.
- 5. Copies of statement of prosecution witness.
- 6. Copy of F.I.R.
- 7. Copy of charge-sheet.

Arising out of private complaint

- 1. Copy of order sheets.
- 2. Copy of complaint.
- 3. Copies of documents filed alongwith complaint.

(VI) Criminal Appeal

- 1. Certified copy of judgment of conviction and order of sentence. In case appeal is barred by limitation: Affidavit in support of application.

(VII) Leave to Appeal

- 1. Copy of Judgment.
- 2. Copy of statement of P.Ws.
- 3. Other relevant exhibited documents.
 - I. Every application for restoration of appeal or application, dismissed for default of appearance, shall be accompanied by an affidavit stating the circumstances in which such default was made, and whether or not the party whose appeal or application was dismissed had previously to such dismissal, engaged an advocate to conduct the appeal or application.

(VIII) Second Appeal

- (a) Certified copy of judgment and decree of the first appellate Court.
- (b) Judgment and decree of the trial Court.

(IX) First Appeal

- 1. Certified copy of judgment and decree appealed from:
 - (a) M.A. (For enhancement): certified copy of award.
 - (b) M.A. (appeal against award by a party against whom award is passed): Certified copy of the award: Receipt of deposit of 50% of award or Rs. 25,000/- whichever is less.
 - (c) If the appeal is by Insurance Company then certified copy of order passed under Section 170 of the Motor Vehicles Act.

(X) Civil Revision

- 1. Certified copy of the order

FORMAT

FORMAT OF WRIT PETITION

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (_____) NO. _____ OF _____

PETITIONER(S)

Versus

RESPONDENT(S)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

1. PARTICULARS OF THE PETITIONER(S).
2. PARTICULARS OF THE RESPONDENT(S).
3. PARTICULARS OF THE CAUSE/ORDER AGAINST WHICH THE PETITION IS MADE.
SUBJECT MATTER IN BRIEF.
4. WHETHER CAVEAT FILED, IF YES, WHETHER COPY OF THE PETITION SUPPLIED TO THE CAVEATOR.
5. DETAILS OF REMEDIES EXHAUSTED
6. MATTER NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT OF LAW
7. DELAY, IF ANY, IN FILING THE PETITION.
8. FACTS OF THE CASE
 - 8.1
 - 8.2
9. GROUNDS (Distinct grounds to be raised separately)
 - 9.1
 - 9.2
10. RELIEF(S) SOUGHT

Counsel for the Petitioner(s)

Place
Dated

FORMAT FOR FILING OF PUBLIC INTEREST LITIGATION
PETITION

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (PIL) NO.....OF.....

In Re:.....(cause for which PIL is submitted)

PETITIONER(S).

Versus

RESPONDENT(S).

1. PARTICULARS OF THE PETITIONER(S) (same as format of writ petition).
2. PARTICULARS OF THE RESPONDENT(S) (same as format of writ petition).
3. (A) PARTICULARS OF THE CAUSE/ORDER AGAINST WHICH THE PETITION IS BEING PREFERRED.
(B) SUBJECT MATTER IN BRIEF.
(C) (I) The present petition under Article 226 of the Constitution of India is being filed by way of public interest litigation and the petitioner has no personal interest (if he has any personal interest such interest must be disclosed). The petition is being filed in the interest of _____(give particulars of the class of persons for whose benefit the petition is filed).
(II) That the petitioner is _____ (give short background of the petitioner; if the petitioner is an organization, the names of the office-bearers must be furnished). The petitioner has earlier filed/not filed any other public interest petition (if filed, details of such PIL filed including the case number and the court, status and brief description of the order passed must be given. It must also be stated whether in any of such cases any cost has been awarded for or imposed against the petitioner; and whether any appreciation or stricture has been passed).
(III) That the petitioner is filing the present petition on his own and not at the instance of someone else. The litigation cost, including the advocate's fee and the traveling expenses of the lawyer, if any, are being borne by the petitioner himself (if not, the petitioner must disclose the source of funds).
(IV) The source of information of the facts pleaded in this Public Interest Litigation, is based on _____.(if news report,

whether the applicant has verified the facts by personally visiting the place, talking to other people or from the reporter/ editor of the newspaper concerned. If the petitioner does not wish to disclose the source, he may say so with reasons).

- (V) That the petitioner has/has not sent representation in this regard. (if yes, details of such representation and reply, if any, from the authority concerned along with copies thereof must be filed. If not, reason for not sending such representation).
 - (VI) That to the best of knowledge of the petitioner, no public interest petition (whether filed by the petitioner himself or by someone else) raising the same issue is filed before this Hon'ble Court or before any other Court. (if filed, details thereof).
- 4. WHETHER CAVEAT FILED, IF YES, WHETHER COPY OF THE PETITION SUPPLIED TO THE CAVEATOR.
 - 5. DETAILS OF REMEDIES EXHAUSTED.
 - 6. MATTER NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT OF LAW.
 - 7. DELAY, IF ANY, IN FILING THE PETITION.
 - 8. FACTS OF THE CASE
 - 8.1
 - 8.2
 - 9. GROUNDS

State separate grounds with specific mention of violation of particular constitutional or statutory provision or any administrative instruction. The relevant provision of the Constitution and statute must be quoted and administrative instruction must be filed.

 - 9.1
 - 9.2
 - 10. RELIEF(S) SOUGHT.

Place:
Dated:

Counsel for the Petitioner(s)

Format of Anticipatory Bail Application u/s 438 Cr.P.C.

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (CHHATTISGARH)

M.Cr.C. (A) NO. /YEAR

APPLICATION UNDER SECTION 438 OF THE
CODE OF CRIMINAL PROCEDURE

APPLICANT :

A

VERSUS

NON-APPLICANT :

B

CASE NO. /B.A. NO.

CRIME NO.

POLICE STATION

OFFENCE U/S.

The applicant named above respectfully begs to submit as under :-

1. That the applicant had preferred an application under Section 438 Cr.P.C. for anticipatory bail before the learned lower Court, which has been rejected by the lower Court vide order datedin bail application No.....A copy of the same is being annexed herewith as **ANNEXURE - .**
2. That this is the **First/Second/Subsequent (No.) bail application** before this Hon'ble Court. No other application of the nature is pending before this Hon'ble Court or before the Court below.
3. That the applicant is apprehending his arrest in connection with Crime No..... registered at Police Station for an alleged offence punishable under Sectionof I.P.C./any other Act.
4. The applicant has following pending/decided criminal case(s) against him ----- (if none – say nil)
5. That as per the prosecution story
6. **GROUNDS**
7. That the applicant is ready to abide by all the directions and conditions which may be imposed by this Hon'ble Court while granting bail
8. That the applicant is permanent resident of

PRAYER

It is therefore, prayed that this Hon'ble Court may kindly be pleased to order release of the applicant on bail in the event of arrest for the above mentioned offence..

COUNSEL FOR THE APPLICANT

PLACE :

DATED :

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (CHHATTISGARH)

APPLICANT : M.Cr.C. (A) NO. /YEAR A
NON-APPLICANT : VERSUS B

AFFIDAVIT

I S/o. aged..... years
R/o..... District..... do hereby state on oath as under :-

1. That, this is the **First/Second/Subsequent (No.) bail application** of the applicant before this Hon'ble Court. No other application of the nature is pending either before this Hon'ble Court or Court below.
2. That, I am the applicant in the instant petition and as such I am fully conversant with the facts of the case.
3. That, I have engaged Mr. Advocate as my counsel to move and argue the bail application before this Hon'ble Court on my behalf.
4. That the statement of facts in bail application are true to my personal knowledge.

DEPONENT

VERIFICATION

I..... the deponent, do hereby verify that the contents of the affidavit from paras 1 to 4 are true to my personal knowledge.

Verified and signed on thisday of..... at.....

DEPONENT

Identified by me:

* * *

Format of Application for regular bail u/s 439 Cr.P.C.
IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR
(CHHATTISGARH)

M.Cr.C. NO. /YEAR

APPLICATION UNDER SECTION 439 OF THE
CODE OF CRIMINAL PROCEDURE

APPLICANT :		A
	<i>VERSUS</i>	
NON-APPLICANT :		B
		CASE NO. /B.A. NO.
		CRIME NO.
		POLICE STATION
		OFFENCE U/S.

The applicant named above respectfully begs to submit as under :-

1. That this is the **First/Second/Subsequent (No.) bail application** before this Hon'ble Court. No other application of the nature is pending before this Hon'ble Court or before the Court below.
2. That the applicant had preferred an application under Section 439 Cr.P.C. for his release on bail before the learned Sessions Court, which has been rejected by the lower Court vide order dated in bail application No.....
A copy of the same is being annexed herewith as **ANNEXURE -** .
3. That the applicant has been arrested by Police of Police Station on for an alleged offence punishable under Section of I.P.C./any other Act.
4. That the deponent of the attached affidavit is a relative (relation to be disclosed) of the applicant and is fully conversant with the facts of the case and authorized by the applicant to move an application for his release on bail.
5. That as per the prosecution story
6. **GROUND:**
7. That the applicant is permanent resident of
.....
8. That the applicant is ready to furnish adequate surety and shall abide by all the directions and conditions which may be imposed by this Hon'ble Court.

PRAYER

It is therefore, prayed that this Hon'ble Court may kindly be pleased to grant bail to the applicant.

COUNSEL FOR THE APPLICANT

PLACE :
DATED :

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (CHHATTISGARH)

APPLICANT : M.Cr.C.NO. /YEAR A
NON-APPLICANT : VERSUS B

AFFIDAVIT

I,....., S/o. agedyears, R/o....., District.....do hereby state on oath as under :-

- 1.. That, I am applicant's Relative (relation to be disclosed) and conversant with the facts of the case. I am authorized by the applicant to move an application for his release on bail.
- 2.. That, I am authorized by the applicant to swear this affidavit on his behalf in support of the bail application.
- 3.. That, this is the First/Second/Subsequent (No.) bail application of the applicant before this Hon'ble Court. No other application of the nature is pending either before this Hon'ble Court or Court below.
- 4.. That, I have engaged Mr. Advocate as applicant's counsel to move and argue the bail application before this Hon'ble Court on his behalf.
- 5.. That the contents of the bail application are true to my personal knowledge.

DEPONENT

VERIFICATION

I..... the deponent, do hereby verify that the contents of the affidavit from paras 1 to 5 are true to my personal knowledge.

Verified and signed on thisday of..... At.....

DEPONENT

Identified by me:

Important Rules of Chhattisgarh High Court Rules, 2007

47. (1) If any writ, order or direction is sought against the Union of India, a State Government, a Public Officer or Authority, as is covered by Article 12 of the Constitution, notice of the application with all annexure(s) shall be served, before filing *in two sets*, on the Assistant Solicitor General/ Advocate General/ Standing Counsel, as the case may be.
113. Revisions arising out of conviction and sentence of imprisonment shall be posted for admission only after the applicant has surrendered.
- 120 (1) All applications for grant of anticipatory bail shall be supported with an affidavit of the applicant clearly stating the name of the advocate he has engaged and whether any such bail application has been previously filed or not. In exceptional cases a relative of the applicant or the person engaging the lawyer in the High Court may submit an affidavit in support of the application.
- (2) In a case where the number of accused are more than one, the affidavit shall state as to whether or not bail application of a co-accused is pending or has been disposed of in the High Court.
- (3) All applications under Section 439 of the Code of Criminal Procedure shall be supported with an affidavit of the relative of the applicant or a person acquainted with the facts. If the number of the accused are more than one, the affidavit shall state as to whether or not bail application of co-accused is pending or has been disposed of in the High Court

C H A P T E R - V I I I F I L I N G , R E G I S T R A T I O N A N D C L A S S I F I C A T I O N A : F I L I N G A N D R E G I S T R A T I O N

121. All Presentations including documents etc. shall be headed "IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR" and shall be filed in *two sets* at the centralized filing counter or the filing counter earmarked for a particular group of cases before the designated Officer and shall be accompanied by a prescribed listing proforma duly filled in primarily meant for entering in the Computer Data. The filings shall be received from 10 AM to 1.30 PM and from 2.15 PM to 4.30 PM.
122. All Presentations shall be processed only after a satisfactory stamp report, and after the defects, if any, have been removed and all other mandatory requirements are duly met with.

123. All Presentations shall be submitted, by a petition in the prescribed proforma wherever provided:-
- (1) written in English/Hindi;
 - (2) neatly typed on thick green paper of foolscap size with a margin of two inches, only one side of the paper being used;
 - (3) signed and dated by the petitioner or by his counsel, or if the petitioner is illiterate bearing the petitioner's thumb mark and attested by one literate person;
 - (4) signed by the typist who shall state his capacity;
 - (5) presented in the filing section by the petitioner or his recognized agent or his counsel.
124. In the cause title of every civil and criminal case, the name of the District from where the matter has arisen shall be mentioned in capital letters/ bold/underline.
125. (1) Where at any time between the conclusion of hearing and the pronouncing of the judgments or after the judgment but before the filing of the appeal, any party to the proceeding in the court below dies, the appeal may be filed by or against the legal representatives, as the case may be, of the deceased party:
- Provided that the appeal is accompanied by a separate application, duly supported by an affidavit, praying for bringing on record such person as the legal representative of the deceased party and setting out the facts showing him to be the proper person to be entered on the record as such legal representative.
- (2) The Registrar, after satisfying himself that the appeal is in order, shall endorse the date of presentation on the Memorandum of appeal and register the same as an appeal in the Court.
126. The following Presentations shall be accompanied by an affidavit made by the petitioner or his duly authorized agent:-
- (1) For review made upon the ground of the discovery of new and important matter or evidence;
 - (2) For stay of execution;
 - (3) For vacating an order staying execution;
 - (4) For security under Order XLI, Rules 6 and 10 of the Code of Civil Procedure;

- (5) For re-admission or restoration of an appeal or application dismissed for default of appearance or for non-payment of process fee or paper-book costs;
- (6) For action for contempt of Court;
- (7) For substitution of parties;
- (8) For the appointment or discharge of guardians ad - litem or next friends;
- (9) For transfer of any civil or criminal case;
- (10) For action under Section 87 of the Code of Criminal Procedure.

Provided that the Court may direct a party to file an affidavit in any other matter.

127. On receipt of the document, the Officer In-charge of the filing counter shall endorse on the document the date and time of receipt and enter the particulars of the said document in the computer system as well as the register of daily filing and cause it to be sent to the department concerned for examination. If, on scrutiny the document is found in order, it shall be duly registered and given a serial number of registration. It shall also be entered in the Computer as a Data. The Chief Justice may issue instructions from time to time, with regard to the procedure for filing, especially having regard to computerization requirements and once issued, those instructions shall be applicable and enforceable as being part of this Chapter.
128.
 - (1) Where a document is found to be defective, it shall, after notice to the party filing the same, be placed before the Registrar (Judicial).
 - (2) The Registrar (Judicial) may, by an order in writing, decline to receive the document if, in his opinion, the mandatory requirements of the rules are not satisfied. Where, however, the defect noticed is formal and/or curable, the Registrar (Judicial) may allow the party to rectify the same in his presence, but in other cases he may require the party to obtain an order from the Court permitting the party to rectify the same and for this purpose may allow such time as may be necessary but not exceeding twenty eight days in aggregate.
129. As soon as the matter is found in order, the same shall be duly registered and given a serial number of registration through Computer, the particulars and the data of the same shall be entered in the Computer and while preparing the cause list, the Listing Branch

shall include the fresh matters in the list from the data available in the Computer. For the purpose of listing fresh matters, matters for orders on interlocutory applications, after notice matters, and final disposal matters shall be taken from the computer only.

130. (1) The Presentations shall be in paper-book form, with index, typed on green coloured, foolscap size, water marked plain paper or bond paper capable of being used in the printer of the computer, with a margin of two inches containing approximately 24 lines, paginated and with annexure numbers, and shall be accompanied by a synopsis of the case giving the relevant dates of events in chronological order.
- (2) Hand written document used as annexures if not easily readable in Photostat, shall be accompanied by true typed copies.

131. After entries are made, the Registrar (Judicial), either himself or through office staff under his supervision, shall get the matter examined as per the check list and in the following manner:-

- (1) Format of cause title, including full and complete address of all the parties including the details of the Police Station, Post Office and Postal Index Number.
- (2) Receipt showing service of copy on the Advocate General/ other side as required under these Rules or any other statute or Rules.

- (3) Sufficiency of Court fee Stamp:

Provided that deficiency of Court Fee Stamps will not be considered to be a defect for the purpose of filing if it is accompanied by an application seeking leave to pay deficit stamps within a specified period or to contest the stamp report.

- (4) Provision of law under which the filing is made.
- (5) Certified copy of the order under challenge and/or of any order required under these Rules, or under any other statute or Rules.
- (6) Relief sought for.
- (7) Sufficient number of copies as required under these Rules.

- (8) Other requirements under these Rules or statutory requirement, if any.
132. Where the Registrar (Judicial) is of the opinion that there is a bonafide arguable point pertaining to any defect, he shall place the matter before the Bench.
133. Defect free Presentations shall immediately be sent to the concerned Section for being listed before the Bench. Similarly, the particulars/data of all the cases, which are to be listed for orders, after notice cases and final disposal cases shall be updated on each day and those particulars/data shall be updated day-to-day as per the daily development in the matter.
134. The affidavit accompanying a petition for the re-admission or restoration of an appeal or application dismissed for default of appearance or for non-payment of process fees or paper-book costs shall state the circumstances under which such default was made, and whether or not the party whose appeal or application was dismissed had, before such dismissal, engaged an advocate to conduct the appeal or application.
135. (1) In the matter of any pending case no interlocutory application, written statement, affidavit, or list of documents shall be filed unless a copy thereof has been previously served on the counsel for the opposite party. The counsel served with such copy shall acknowledge receipt by endorsement. When the counsel for the opposite party refuses to accept the copy or is not available or such party is not represented, the fact shall be endorsed by the applicant on the application or document presented :
- Provided that where the counsel for the opposite party refuses to accept the copy, he may record his reasons for refusal on the original application or document.
- (2) In the matter of any pending case the interlocutory applications or any other pleadings or affidavits or documents filed shall clearly state the case number and the date of hearing, if any.
- (3) When the case is listed in the Court and any filing is done on the same day, it shall be the duty of the concerned Advocate to apprise the Court, about such filing of pleadings, at the beginning of the hearing.

136. Unless otherwise directed, all criminal appeals/criminal revisions in which a prayer for suspension of sentence has been made or all applications for grant of bail or all Misc. Criminal Cases for staying any pending matters, filed before 1.30 PM shall ordinarily be posted for admission or orders, as the case may be, as far as possible within three days.
137. Where any interlocutory application is filed in a case which is listed before the Bench and on urgency being shown, the same shall be laid on the records of the case without any delay.
138. (1) All cases shall be listed for admission along with interlocutory applications seeking interim relief(s), if any, chronologically in accordance with the date of filing. No matter shall be listed for admission out of turn unless so directed by the concerned Court or the Chief Justice in this regard, notwithstanding the filing of an interlocutory application for interim relief(s).
- (2) All applications filed in the main case will be registered as interlocutory applications and shall be given a separate number.
139. The provisions as contained in this Chapter, so far as may be, shall be applicable to filing of Process Fee, Vakalatnama, documents, slips and any other papers relating to any case.

B: CLASSIFICATION

140. Classification, group-wise, of all the matters for its registration to be filed in the Court, in supersession of all the previous nomenclatures relating to matters, shall be as shown here under :
- (1) Writ Petitions classified as:
- (i) W.P. (Habeas Corpus) : Habeas Corpus Petitions
 - (ii) W.P. (PIL) : Public Interest Litigations
 - (iii) W.P. (S) : Service Matters
 - (iv) W.P. (L) : Labour & Industrial Matters
 - (v) W.P. (T) : Tax Matters

- (vi) W.P. (Art. 227) : Under Article 227 of the Constitution of India
- (vii) W.P. (C) : All other civil writs, i.e. those not falling in any of the above mentioned sub-groups
- (viii) W.P. (Cr.) : Petitions relating to criminal matters
- (2) Writ Appeal : Appeals against the order of Single Bench in a writ petition under Article 226 of the Constitution of India
- (3) F.A. : First Appeals under Section 96 of the Code Of Civil Procedure
- (4) F.A. (Misc.) : First Appeals under any other law
- (5) S.A. : Second Appeal
- (6) M.A. : All other Miscellaneous Appeals e.g. under Order XLIII Rule 1 of the Code Of Civil Procedure and appeals provided against interim/final orders/ judgments in any other Central or State law
- (7) M.A. (C) : Misc. Appeal (Compensation) e.g. Appeal under Section 173 of Motor Vehicle Act, Section 30 of Workmen Compensation Act etc.
- (8) C.R. : Civil Revision
- (9) Review Petition : Review petitions in all Civil Cases, including in Writ Petitions
- (10) Tr. Pet. (Civil) : Petition for transfer of Civil Cases
- (11) M.C.C. : All Miscellaneous Civil Cases not specifically categorized or mentioned in this Chapter such as those relating to Restoration, modification or clarification etc. in a decided case
- (12) Cr.A. : Criminal Appeal

- (13) Acq. App. : Appeal under Section 378 of the Code of Criminal Procedure or under any other provisions of law against an order of acquittal
- (14) Cr.Rev. : Criminal Revision.
- (15) Bail Applications :
- (i) M.Cr.C. Bail applications for grant of regular bail
- Bail applications for grant of anticipatory bail
- (ii) M.Cr.C. (A)
- (16) Cr.M.P. : The petitions of criminal nature including applications under Section 482 of the Code of Criminal Procedure (quashing) and all applications under any other provision of the Code of Criminal Procedure or under any law dealing with crimes or criminal matters, but will not include the applications filed under any provisions of the Constitution of India or a petition for bail or anticipatory bail
- (17) Tr. Pet. (Criminal) : Petition for transfer of Criminal Cases
- (18) Cr. Ref. : Criminal Reference under Section 366/395 of the Code of Criminal Procedure
- (19) Cont. Case : The petitions for initiating proceeding for committing contempt of Court
- (20) E.P. : Election Petition – Petitions filed under the Representation of the People Act, 1951
- (21) Tax Case : (TC) / ITR / ITA / C.Ex.R. / C.Ex.A. / Comm. Tax / or any other Tax matters
- (22) Comp. Pet. : Company Petition – Petitions / Applications filed under the Companies Act, 1956

- (23) Arbitration Application / Appeal : All arbitration applications including, Applications under Arbitration Act, 1940 or under the Arbitration and Conciliation Act, 1996, including the applications for appointment of arbitrator under Section 11 (4), (5) or (6) of the 1996 Act. Appeals under the Arbitration Act, 1940 or the Arbitration and Conciliation Act, 1996
- (24) I.A. : Interlocutory Applications in pending civil cases
- (25) M.(W).P./M.(Cr.).P./ (C).P. M. : This head denotes applications for grant of interim relief/stay or for vacating any such order in a case relating to its original head
- (26) Cvt. : Caveat
141. Any other case which does not fall in any of the above categories shall be registered with same classification as was being done immediately before coming into force of these Rules.

FOR USE OF STAMP REPORTERS

As prescribed in below the Rule 86 of the C.G. High Court Rules, 2007.

1. Details as mentioned in the memo of petition, index and list of documents as annexed with the petition.
2. Certified copy be required as per Rule 131(5) of the C.G. High Court Rules.
3. Copies of other annexures are neigh and clean and readable, if not than this is default matter and typed copy or copies be required.
4. Documents and memo of petition, application, affidavit etc. be paginated as per index.

SYNOPSIS

Short summary of the fact and dates and events be mentioned as chronological.

AFFIDAVIT

1. In support of the memo of Writ Petition, affidavit is mandatory required.
2. In support of the interim relief or stay, affidavit is mandatory be required.

ADVANCE COPY

Before filing of the writ petition advance copy of the same be served as per Rule 47 of the C.G. High Court Rules, 2007.

COURT FEE

- A. In case of writ petition U/A 226 of the Constitution of India in memo of petition Rs. 100/- per person (petitioner).
- B. In case of W.P. U/A 227 of the Constitution of India, court fee of Rs. 10/- in memo of petition.
- C. In each application court fee of Rs. 10/- be required.
- D. In Vakalatnama court fee of Rs. 10/- and Rs. 25/- Advocate Welfare Stamp be required.
- E. Every certified copy court fee of Rs. 05/- be required.

VAKALATNAMA

Vakalatnama mandatory be required with the memo of writ petition as following manner :-

1. Vakalatnama should be filled up completely.
2. Vakalatnama should be signed by the parties as well as their counsel (unique code of advocate shall also be mentioned).
3. In case of power of attorney, the signature of the Power of Attorney Holder is required and copy of the power of attorney should be enclosed.

CERTIFICATE

Certificate of the counsel be required regarding comply the provisions of the C.G. High Court Rules, 2007.

Memo of petition filed in two sets :- Original set + 1 Spare Set.

P.I.L. MATTERS

Including all of the above additionally mandatory requirement in P.I.L. Matters as Under :-

1. Copy of receipt of Rs. 5000/- security amount be filed with the petition.
2. Additional affidavit regarding Locus Standi be required.
3. Application for Locus Standi be filed with the petition.

ANNEXURS AND TRUE COPIES

All the copy of documents as enclosed herewith memo of petition be properly paginated and marked annexure Nos. and be attested as true copy as originaly by the counsel for petitioner or petitioners.

CHAPTER-IV
CONSTITUTION AND POWERS OF BENCHES

A: CIVIL MATTERS

SINGLE BENCH

22. The following matters shall ordinarily be heard and disposed of by a Judge sitting alone.

- (1) An appeal from an appellate decree of a District Court.
- (2) An appeal of a civil nature under any Act of the Central or State Legislature or First Appeals under the Code of Civil Procedure, the value of which does not exceed the sum of **Rs.5,00,000/- (Rupees Five Lacs Only)** and any application or reference made under such Acts, unless otherwise expressly provided for under such Acts.

Explanation.—The value of a cross objection filed in any such appeal shall not be included in the value of the appeal. However, if the value of the cross objection exceeds **Rs. 5,00,000/- (Rupees Five Lacs Only)** the appeal as well as the cross objection shall both be heard by a Division Bench.

- (3) An appeal from an appealable order under the Code of Civil Procedure or under any other enactment unless otherwise provided in the said enactment.
- (4) **An appeal under Section 173 of the Motor Vehicles Act, 1988.**
- (5) An appeal under Section 47 of the Guardian and Wards Act, 1890.
- (6) An appeal relating to costs only.
- (7) An application under Section 22, 23 or 24 of the Code of Civil Procedure.
- (8) Any application under the provisions of Code of Civil Procedure or any other enactment for the time being in force made in an appeal, revision or any other proceedings in a matter within the jurisdiction of a Judge sitting alone and which is not otherwise expressly provided for.

- (9) An application for revision under the Code of Civil Procedure or under any Central or State Act, unless otherwise expressly provided in the said Central or State Act.
- (10) A suit coming before the Court in the exercise of its extraordinary original civil jurisdiction.
- (11) A proceeding of a civil nature under an Act of the Central or State Legislature, coming before the Court in the exercise of its original jurisdiction.
- (12) An Election Petition under the Representation of the People Act, 1951.
- (13) Company matters, Probate and Letters of Administration matters of original jurisdiction (on nomination by the Chief Justice).
- (14) All writ petitions under Article 226/227 of the Constitution of India except those falling within the jurisdiction of a Division Bench.
- (15) All Taxation matters unless otherwise provided in the Central or State Act, from which the proceedings are arising.
- (16) All Appeals under Section 37 of the Arbitration and Conciliation Act, 1996.**
- (17) Revision under Section 19 of The Chhattisgarh Madhyastham Adhikaran Adhiniyam, 1983.**

DIVISION BENCH

23. The following matters shall be heard by a Division Bench.

- (1) Writ Petitions :
 - (i) Relating to Public Interest Litigation.
 - (ii) Where vires or validity of an Act of Legislature or any Subordinate Legislation is under challenge.
 - (iii) Against the orders of Tribunal constituted under Articles 323A and 323B of the Constitution of India.
 - (iv) Relating to Contract/Tender concerning to the Government / Public Undertakings / Local Bodies / Statutory Bodies.

- (v) Relating to admission in medical/technical colleges.
- (vi) Relating to Excise Contract.

(2) Other Matters:

- (i) Tax references and statutory appeals and applications for references in such cases.
- (ii) Reference under Section 113 / Order XLVI of the Code of Civil Procedure, 1908.
- (iii) Appeal under Section 22(A)/reference under Section 21(5) of the Chartered Accountants Act, 1949.
- (iv) Appeal under Section 19 of the Family Courts Act, 1984.
- (v) **(deleted)**
- (vi) All matters which, by any law or any judgment having force of law are required to be heard by a Division Bench.
- (vii) All the appeals of Civil nature valued above Rs.5.00 lacs (Rupees Five Lacs only) excluding the appeals under 173 of the M.V. Act, 1988***

**B: CRIMINAL MATTERS
SINGLE BENCH**

24. The following matters shall be heard by a Single Judge.
- (1) Applications for grant of bail under Sections 438 or 439 of the Code of Criminal Procedure and applications under Section 482 of the Code of Criminal Procedure.
 - (2) Applications for transfer of Criminal Cases.
 - (3) Applications for cancellation of bail.
 - (4) Criminal Revisions except those which are to be heard by a Division Bench.
 - (5) Criminal Appeals against substantive sentence of not more than 10 years.
 - (6) A case coming before the Court in the exercise of its ordinary or extraordinary original criminal jurisdiction except the cases under Section 15 of the Contempt of Courts Act, 1971.
 - (7) Appeals, applications, or references under the Code of Criminal Procedure, other than the cases falling within the jurisdiction of a Division Bench.

DIVISION BENCH

25. The following matters shall be heard and disposed of by a Division Bench.
- (1) An appeal or reference in a case in which a sentence of death or imprisonment for life or a sentence of more than 10 years has been passed.
 - (2) An application for leave filed under sub-section (3) of Section 378 of the Code of Criminal Procedure in respect of offences punishable with sentence of death or imprisonment for life or in cases where the maximum sentence provided is of more than 10 years and are triable by the Court of Sessions.
 - (3) An appeal by the State Government under Section 378 of the Code of Criminal Procedure, from an order of acquittal in Sessions Trial, in respect of offences punishable with sentence of death or imprisonment for life or where the maximum sentence is more than 10 years.

- (4) A revision filed by a private party under Section 397 of the Code of Criminal Procedure or suo motu revision entertained under Section 401 of the Code of Criminal Procedure against acquittal in respect of offences punishable with sentence of death or imprisonment for life or imprisonment for more than 10 years and triable by the Court of Sessions.
- (5) A proceeding in which notice has been issued to an accused who has been sentenced to imprisonment for a term of five years or more, to show cause why the sentence should not be enhanced.
- (6) A proceeding in which notice is issued to a convicted person requiring him to show cause why his conviction should not be altered to one of an offence punishable only with death or imprisonment for life.
- (7) An appeal under Section 377 of the Code of Criminal Procedure with regard to an accused who has been sentenced to undergo imprisonment for a period of 5 years or more.
- (8) Appeals from conviction of offences punishable with imprisonment for life.
- (9) A petition for a writ in the nature of Habeas Corpus.
- (10) Cases under the Contempt of Courts Act, 1971, where a case for criminal contempt is made out.
- (11) Any proceeding coming before the Court in the exercise of its ordinary and extraordinary original criminal jurisdiction.

IMPORTANT ORDERS AND DIRECTIONS

- * **As per order of Hon'ble Court dated 30.03.2016, passed in W.P.(S) No. 296/2011, all the additional documents in Writ Petitions shall be filed along with application duly supported with affidavit of the party concerned.**