



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR**

S.B. Civil Writ Petition No. 17254/2023

Mitthan Lal Samariya

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

For Petitioner(s) : Mr. Tanwar Singh Rathore

For Respondent(s) :

HON'BLE MR. JUSTICE ARUN MONGA

Order

27/03/2024

1. Before delving into the case in hand, it is deemed appropriate to address the chaotic situation spawned by the Registry of this Court in compiling the cause list for the cases listed before this Bench. Today, a staggering 1,609 cases sprawling across a cumbersome 145-page cause list are fixed for hearing. If one were to take up the entire list, with only 5 hours allocated for court proceedings, each case would barely get a mere 10 seconds of time, during which, not only it has to be heard, but order/ proceedings have to be dictated too.

2. Compounding this issue, a perplexing maze has been created vide a common cause list by inexplicably intermingling cases of another Bench, not holding Court today, with the cases of this Bench. The mishmash of 1,609 cases lacks clarity, blurring the distinction between cases from two different Benches, thus making it difficult to identify the cases previously under this Bench's purview. What baffles common sense is how the Registry

anticipates this Bench to navigate through this labyrinthine situation, akin to unscrambling a scrambled egg.

3. Meanwhile, learned counsels, cognizant of the impracticality of taking up of 1609 cases, anxiously vie to bring their cases to the forefront, by mentioning it. This frenzy has consumed considerable time, merely to earmark cases for prioritized consideration before resuming the actual court work.

4. The Registrar (Judicial) yielded little insight, with no satisfactory explanation forthcoming beyond the dismissive notion that such haphazard amalgamation is a customary practice when cases are listed before a substitute Judge due to another Judge not holding the Court.

5. In the premise, certain preemptive measures are needed to forestall such crises in the future and ensure the seamless operation of the Court.

6. Accordingly, the Registry is directed that henceforth, when cases from another Bench are listed before a substitute Bench, the two cause lists must be distinctly delineated. The two cause lists shall not be merged. Illustratively, cases shall be listed in two segregated lists i.e. Cause List (I) and Cause List (II) with specific note in the respective cause lists by designating it as the routine list of the substitute Bench and the additional cause list of the Bench not holding court, respectively. Alternatively, terms Cause List (A) and (B) may be employed for clarity, with corresponding annotations. Both lists shall thus be published same way as before, except that the substitute court room number and name of the substitute Judge would be mentioned on the second cause list.

7. With the aforesaid directions, I shall now advert to the case in hand which has also been taken as it was mentioned by the learned counsel for the petitioner.

8. Issue notice. Notice regarding stay as well.

9. On advance service, reply on behalf of respondents has already been filed. Service of notice on the respondents is thus dispensed with. However, none appears for the respondents today, perhaps due to the uncertainty as to which cases would be taken up after the mentioning is over.

10. Since there is no representation on behalf of the respondents, in the interest of justice, adjourned to 18.04.2024. Rejoinder, if any, be filed in the meanwhile. Given the urgency, as urged by the learned counsel, be shown in the category of fresh matters.

(ARUN MONGA),J