

No. R(J) 178/2022

High Court of Karnataka,
Bengaluru,
Dated: 11.10.2022.

CIRCULAR

The Hon'ble Division Bench vide Order dated 22.07.2022 in W.P.No.14475/2022 [S-CAT] has made certain observations, the relevant portion of the order reads as under :-

ORDER

“ XXXX

XXXX

At this stage, it has to be stated that whenever the matters pertaining to Central Government are posted before the Court, there are many instances where there is no representation on behalf of the Central Government. This makes us to note that, whenever the copy is served by the parties and pleads urgency, it is the duty of the learned ASG to ensure that there must be a representation in the matter before the Court, that too before the Division Bench.

Therefore, learned ASG is hereby requested to make necessary arrangements to ensure that there is proper representation for the Central Government before the Court, otherwise this Court has no other option except to pass the exparte orders.

XXXX”

The Rule 4 of the Writ Proceedings Rules 1977 reads as under:-

(Contd..)

“4. The petitioner may seek interim relief in the main petition itself and in every main petition where there is a prayer for an ad interim Stay or injunction against the Union of India or any State Government or any of its authorities, a copy such application shall be served upon the standing Counsel / Advocate, for the Union of India or the concerned State Government before the matter is listed in Court, except when the Court otherwise directs.”

Rule 3A of Chapter – X of High Court of Karnataka Rules, 1959 reads as under:-

“3A. In every matter where an application is filed for an ad-interim stay on injunction against the Union of India or any State Government or any of its authorities, a copy of such application shall be served upon the Standing Counsel / Advocate for the Union of India or the concerned State Government before the matter is listed in Court except when the Court otherwise directs.”

In view of the Order passed by the Hon’ble Division Bench in W.P.No.14475/2022 [S-CAT] and as per Rule 4 of the Writ Proceedings Rules 1977 and Rule 3A of Chapter – X of High Court of Karnataka Rules, 1959, all the Officers and Officials working on the Judicial side at Principal Bench, Bengaluru and Benches at Dharwad and Kalaburagi are hereby directed to show the names of the CGCs who have filed the Memo of Appearance, in the order

(Contd..)

sheet and in the cause list at the first hearing itself, even before notice is ordered by the Court so as to enable them to appear in the matter without fail.

Any lapse in this regard will be viewed seriously.

BY ORDER OF HON'BLE THE ACTING CHIEF JUSTICE

**Sd/-
(M. CHANDRASHEKAR REDDY)
REGISTRAR (JUDICIAL)**

To:

1. The Additional Registrar General, High Court of Karnataka, Benches at Dharwad and Kalaburagi.
2. The Central Project Co-ordinator, with a request to web-host the circular.
3. P.S. to Hon'ble the Ag. Chief Justice.
4. All the Private Secretaries to Hon'ble Judges.
5. All the PAs to Registrars with instructions to bring to the notice of the concerned Registrars about the Circular.
6. Group 'A' Officers working on judicial side.
7. All the Section Officers, working on the Judicial side, with a direction to circulate the same to the staff working under their control.
8. Office of Additional Solicitor General of India, GF-68, High Court Buildings, High Court of Karnataka. Dr. Ambedkar Veedhi, Bengaluru - 560 001.
9. Office copy.