



SUPREME COURT ADVOCATES-ON-RECORD ASSOCIATION

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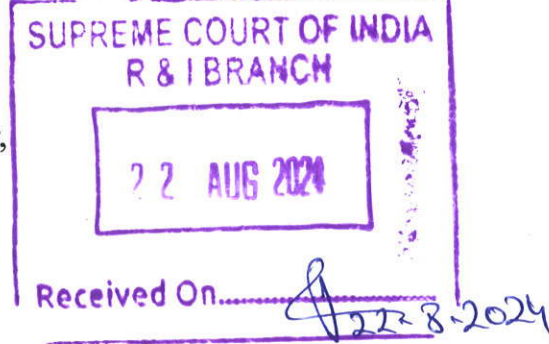
Mr. A. Selvin Raja

8800474858

Ref. No. 69/ SCAORA /2024

Date: 22.08.2024

To,
Shri Atul Madhukar Kurhekar,
Secretary General,
Supreme Court of India,
New Delhi – 110 001



Sub: Taking immediate steps against listing of defective matters.

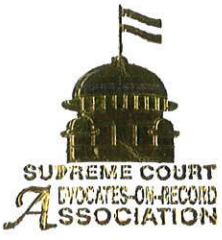
Respected Sir,

We are strongly objecting to the recent practice of the registry for listing of defective cases before the Hon'ble Supreme Court of India in the past few days.

It has come to our notice that incomplete matters which are under defective listing period of 28 days are getting listed before the Hon'ble benches without affording a chance to the respective advocates to cure the defects and with a remark "Mention Memo" in the cause list despite the fact that these matters were never mentioned by the concerned Advocate-on-Record. This mismanagement is clearly unreasonable and infringing of the rights of all the stakeholders. The same is against the rules and procedures laid down by this Hon'ble Court.

Recently one matter with cause titled as Samina Yeasmin vs Directorate of Madrasah Education & Ors. bearing Diary No. 35202/ 2024 was filed on 06.08.2024 and was under defects; and was surprisingly listed before the Hon'ble Bench on 23.08.2024 with a remark "Mention Memo" making an impression that the concerned Advocate-on-Record had mentioned the matter for urgent listing, which is not the case. This mismanagement is defying the overall purpose of administration of justice and is really against the established procedure laid down by this court.

Another matter with the cause title Pranakrushna Kal through its proprietor v/s Indian Oil Corporation Ltd bearing diary no. 34578/ 2024 was filed on 02.08.2024 and was under defect on the official website of the Supreme Court as per which the matter is to be cured within the time period of 28 days. However, the same was surprisingly listed before the bench of Hon'ble Chief Justice of India and the same was dismissed and this matter was also shown to be listed with a remark "Mention Memo" in the cause list and the same was also not mentioned by the concerned Advocate-on-Record.



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These unwarranted listings without complete files not only adversely affect the rights of the common innocent litigators causing impediment to enforce their rights provided to them under the due process of law but also to the members of the bar who are left high and dry in such unprecedented situations. This deeply flawed practice is directly affecting the rights of all the stakeholders including advocates, litigators and all other interested parties.

The concerned authorities are requested to take up this matter on an urgent basis and take immediate steps to address this issue.

The members of the bar have expressed their deep anguish with regard to such haphazard listings.

We have a piquant situation where matters which are urgent are not being verified for a week or more and matters which are defective are being listed with such great promptness, which clearly shows that the matter of listing is arbitrary and without due application of mind.

You are therefore, requested to enquire into this issue, so that such kind of listings are not done and the members of the bar are not taken by surprise by some arbitrary acts of the registry.

We further request that the Hon'ble Chief Justice of India should be apprised of such arbitrary listing so that his lordship can pass appropriate directions regarding the same.

Thank you,

Regards,


NIKHIL JAIN
Hony. Secretary
SCAORA