

PROFORMA-1

STATEMENT OF WORK DONE BY THE HIGH COURT OF SIKKIM DURING THE HALF YEAR ENDING ON 31/12/2018

Description of cases	Cases pending at the beginning of the quarter year.	Institution during the quarter year	Disposal during the quarter year					T O T A L	Number of cases in which Judgments Reserved & pending				Cases pending at the end of the quarter year
			At Preliminary hearing	By a Single judge	By Division bench	By full Bench	By Constitution bench		Over a month and less than two month	Over Two months and less than four months	Over four months and less than six months	Over six months	
1	2	3	4	5	6	7	8	9	10	11	12	13	14

**1 MAIN CASES**

**ORIGINAL SIDE**

**(CIVIL)**

a) Civil Suits

b) Admiralty suits

2. Testamentary and intestate suits.

3. Insolvency Cases

4. Liquidation Cases

5. Chartered Accountant Act, 1949

6. Special Jurisdiction

Cases	-	01	-	-	-	-	-	-	-	-	-	-	01
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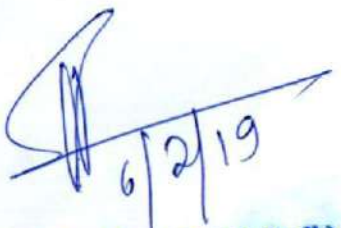
**WRIT PETITIONS**

a) Service matter	31	09	-	10	-	-	-	10	--	--	-	-	30
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b) Land Reforms

c) Labour laws

d) Others	77	20	-	15	10	-	-	25	--	--	-	-	72
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High Court of Sikkim  
Gangtok

1	2	3	4	5	6	7	8	9	10	11	12	13	14
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8(a) Banking Regulation Act, 1949

(b) Execution, transferred and interlocutory applications under Section 45(C) of the Banking Regulation Act, 1949.

9. **Company petition & application**

- a) Petitions
- b) Applications in Petitions
- c) Applications in liquidation proceedings
- d) Applications in company appeals
- e) Matter transferred U/S 455(3) of the Companies Act.

10. Income Tax References and application

11. Sales Tax References and Applications

12. **Other Direct and Indirect Tax**

**References and applications**

- a) Gift Tax Wealth Tax and Estate Duty References and Applications
- b) Other tax Revision cases
- c) Other Tax References and Applications

13. Petitions Under Indian Arbitration Act.      02    --    --    --    --    --    --    --    --    --    --    02

14. **Matrimonial Cases and Reference**

- a) Matrimonial Suits/Cases.      02    --    --    --    01    -    --    01    --    --    --    01
- b) Matrimonial References.
- c) Petition U/S 24 of the Hindu Marriage Act.

15. Land Acquisition Reference

16. **Election Petitions and applications**

- a) Election Petitions
- b) Applications in Election Cases

17. Insurance Act, Reference & applications

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1	2	3	4	5	6	7	8	9	10	11	12	13	14
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18. **Motions**

- a) Motion for sanction of prosecution
- b) Motion for setting aside fraudulent transfers
- c) Motion for annulment of adjudication orders.
- d) Motion for setting aside Insolvency cases
- e) Notice of Motion for stay order

19. **Other Petitions and Applications.**

- a) Probate Civil Petitions
- b) Petitions under the Guardians & Wards Act.

c) Contempt of Court(Civil)Petitions      03    01    --    03    --    --    -    -    --    --    --    01

d) Cross objections                              04    --    --    01    --    --    --    --    --    --    --    03

e) Transfer Petition (C)                            --    01    --    01    --    --    --    -    --    --    --    --

f) Applications for Leave to Sue as Indigent person.

g) Execution applications on the Original side.    --    --    --    --    --    --    --    --    --    --    --    --

h) Special Cases Under Order XXXVI of Civil Procedure Code 1898.

i) Applications under Court Fees Act, Regarding valuation of Estate.

  
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1	2	3	4	5	6	7	8	9	10	11	12	13	14
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- j) Petitions under Foreign Awards  
(Recognition and Enforcement Act,1961)  
k) Petitions Application for  
i) Injunction in Original Proceedings  
ii) Appointment of Receivers in  
Original Proceedings.

<b>20. TOTAL</b>	<b>119</b>	<b>32</b>	-	<b>30</b>	<b>11</b>	-	-	<b>41</b>	-	-	-	-	<b>110</b>
<b>ORIGINAL SIDE(CRIMINAL)</b>													
21. High Court Sessions													
22. <b>Writ Petitions</b>													
a) Relating to Investigation or Trial of Criminal cases	02	--	-	01	-	--	--	01	-	--	--	--	01
23. Special Criminal Applications for Writs under the Constitution and U/S 491 Of the Code of Criminal Procedure,1898													
24. Criminal Contempt, under the Contempt Of Courts Act.	--	--	--	--	--	--	--	--	--	--	--	--	--
25. <b>Others</b>													
a) Transfer Petition (Crl.)	--	--	--	--	--	--	--	--	--	--	--	--	--
b) Application U/S 482 of Criminal Procedure of 1973 of under any Other corresponding provision	02	07	-	-	04	-	--	04	-	-	-	-	05
<b>26. TOTAL</b>	<b>04</b>	<b>07</b>	-	<b>05</b>	-	-	-	<b>05</b>	-	-	-	-	<b>06</b>

  
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1	2	3	4	5	6	7	8	9	10	11	12	13	14
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**27. APPELLATE SIDE (CIVIL)****Writ Appeals**

a) Service matters	03	-	-	-	-	-	-	-	-	-	-	-	03
b) Land Reforms including land ceilings													
c) Labour Laws													
d) Other	01	02	-	01	-	-	-	01	-	-	-	-	02

28. Letters patent Appeals

**29. First Appeals from**

a) Original Side													
b) Judgment	25	09	-	04	-	-	-	04	-	-	-	-	30*
c) Orders	-	03	-	-	-	-	-	-	-	-	-	-	03

30. Second Appeals from Judgment 04 02 - 01 - - - 01 - - - 05

**31. Miscellaneous First Appeals from**

- a) Original Side
- b) Judgment
- c) Orders

**32. Miscellaneous Second Appeals from**

- a) Judgment
- b) Orders

33. Revision Petitions 07 06 - 03 - - - 03 - - - 10

34. Civil References

35. Civil Miscellaneous Petitions under Article 227 of the Constitution

**36. Other Appeals**

a) City Civil Court Appeals													
b) Review of Judgments	01	01	-	01	-	-	-	01	-	-	-	-	01
c) Compensation, Claims and Special Appeals	14	03	-	07	-	-	-	07	-	-	-	-	10**
d) Original Civil Jurisdiction Appeals													
e) Execution First Appeals													
f) Special Tribunal Appeal													

37. TOTAL 55 26 - 16 01 - - 17 - - - 64

1. [\* 30 (THIRTY) Tax Appeals included]

2. [\*\*10 (TEN) MAC Appeals have been restored in terms of Order dated 10.10.2017 passed by Hon'ble Supreme Court in S.L.P. No. 27565 and 27566 of 2017]

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1	2	3	4	5	6	7	8	9	10	11	12	13	14
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**APPELLATE SIDE(CRIMINAL)****38. Criminal Appeals**

a) By persons convicted	40	18	-	08	04	-	-	12	-	-	-	46
b) By Government from Judgment of Acquittal	03	05	-	01	-	-	-	01	-	-	-	07
c) By complaint, U/S 378(4) of Criminal Procedure Code.	08	04	-	02	-	-	-	02	-	-	-	10
39. Criminal Revisions	04	02	-	01	-	-	-	01	-	-	-	05
40. Confirmation Cases U/S 366 of Criminal Procedure Code or under any Corresponding provisions.												
41. Criminal L.P.	05	06	-	04	04	-	-	08	-	-	-	03
<b>42. Others</b>												
a) Fresh Bail Applications pending Investigation of trial												
b) Bail including Anticipatory Bail	-	01	-	01	-	-	-	01	-	-	-	-
c) Review Petition (FAM CT)	01	-	-	-	-	-	-	-	-	-	-	01
<b>43. TOTAL</b>	<b>61</b>	<b>36</b>	<b>-</b>	<b>17</b>	<b>08</b>	<b>-</b>	<b>-</b>	<b>25</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>72</b>

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**GRAND TOTAL ( 20+26+37+43)**      **239**    **101**    **-**    **68**    **20**    **-**    **-**    **88**    **-**    **-**    **-**    **252**

  
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CLASSIFICATION OF CASES PENDING AT THE END OF THE QUARTER YEAR ENDING 31.12. 2018 in TERMS OF DATE OF INSTITUTION

Description of Cases	PENDING FOR												TOTAL
	Less Than One year	One to two years	Two to three years	Three to four years	Four to five years	Five to Six years	Six to Seven years	Seven to Eight years	Eight to Nine years	Nine to Ten years	Over Ten Year		
MAIN CASES	2	3	4	5	6	7	8	9	10	11	12	13	
<b>1. ORIGINAL SIDE (CIVIL)</b>													
<b>1. Suits</b>													
a) Civil Suits													
b) Admiralty suits													
2. Testamentary and intestate suits.													
3. Insolvency Cases													
4. Liquidation Cases													
5. Chartered Accountant Act, 1949													
6. Special Jurisdiction Cases	01	-	-	-	-	-	-	-	-	-	-	01	
<b>7. WRIT PETITIONS</b>													
a) Service matters	14	12	02	01	-	-	-	-	-	-	-	29	
b) Land Reforms, including land Ceilings													
c) Labour laws													
d) Others	36	21	09	02	03	-	-	01	-	-	-	73	
8. a) Banking Regulation Act 1949													
b) Execution, transferred & Interlocutory Applications U/S 45© of the Banking Regulation Act. 1949													
<b>9. Company Petition &amp; Applications</b>													
a) Petitions													
b) Applications in Petition													
c) Applications in Liquidation Proceedings.													



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1	2	3	4	5	6	7	8	9	10	11	12	13
h) Application under Court Fees Act Regarding Valuation of Estate.												
i) Petition under Foreign Awards (recognition & Enforcement Act.1961)												
j) <u>Petitions/Applications for</u>												
i) Injunction in Original Proceedings												
ii) Appointment of Receivers in Original Proceedings												
<b>20 TOTAL</b>	<b>52</b>	<b>35</b>	<b>15</b>	<b>03</b>	<b>03</b>	<b>01</b>	<b>-</b>	<b>-</b>	<b>01</b>	<b>-</b>	<b>-</b>	<b>110</b>

**ORIGINAL SIDE(CRIMINAL)**

21. High Court Sessions

22. Writ Petitionsa) Relating to Investigations or Trials  
Of Criminal Cases.

01 - - - - - 01

23. Special Criminal Applications for  
Writs under the Constitution and  
U/S 491 of the Code of Criminal  
Procedure,199824. Criminal Contempt under the  
Contempt of Courts Act.25. Othersa) Transfer Petition (Crl.)

-- -- -- -- -- -- -- -- -- -- -- -- -- -- --

b) Applications U/S 482 of  
Criminal Procedure Code of 1973 or  
Under any other corresponding provision

05 -- -- -- -- -- -- -- -- -- -- -- -- 05

**26. TOTAL****06 -- -- -- -- -- -- -- -- -- -- -- -- 06**


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1	2	3	4	5	6	7	8	9	10	11	12	13
10. Income Tax References & Applications												
11. Sales Tax References & Applications												
<b>12. Other Direct &amp; Indirect Tax Reference &amp; Applications</b>												
a) Gift Tax, Wealth Tax & Estate Duty Reference & Applications												
b) Other Tax Revisions Cases												
c) Other Tax Reference & Applications												
13. Petitions under Indian Arbitration Act	-	01	01	-	-	-	-	-	-	-	-	02
<b>14. Matrimonial Cases &amp; References</b>												
a) Matrimonial Suits/Cases	01	-	-	-	-	-	-	-	-	-	-	01
b) Matrimonial References												
c) Petition U/S 24 of the Hindu Marriage Act.												
15. Land Acquisition References												
<b>16. Election Petitions &amp; Applications</b>												
a) Election Petitions												
b) Applications in Election Cases												
17. Insurance Act References & Applications												
<b>18. Motions</b>												
a) Motion for sanction of Prosecution												
b) Motion for setting aside Fraudulent Transfer												
c) Motion for Annulment of Adjudication												
d) Motion for setting aside insolvency cases												
e) Notice for motion for stay order												
<b>19. Other Petition &amp; Applications</b>												
a) Probate Civil Petitions												
b) Petitions under the Guardianship & Wards Act.												
c) Contempt of Court (Civil) Petitions	--	01	-	-	-	-	-	-	-	-	-	01
d) Cross Objections	--	--	03	-	-	-	-	-	-	-	-	03
e) Applications for leave to Sue as Indigent Persons												
f) Execution Applications on the Original Side												
g) Special Cases under Order XXXVI of Civil Procedure Code of 1908.												

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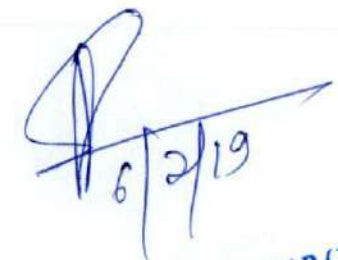
1	2	3	4	5	6	7	8	9	10	11	12	13
<b>APPELLATE SIDE (CIVIL)</b>												
<b>Writ Appeals</b>												
a) Service matters	01	01	-	01	-	-	-	-	-	-	-	03
b) Land Reforms, including Land Ceilings												
c) Labour Laws												
d) Other	02	-	-	-	-	-	-	-	-	-	-	02
28. Letters patent Appeals												
<b>29. First Appeals</b>												
a) From Original Side												
b) From Judgment	09	13	07	01	-	-	-	-	-	-	-	30*
c) From Orders	03	--	--	--	--	--	--	--	--	--	--	03
30. Second Appeal from Judgment	02	01	02	-	-	-	-	-	-	-	-	05
<b>31. Miscellaneous First Appeals</b>												
a) From Original Side												
b) From Judgment												
c) From Orders												
<b>32. Miscellaneous Second Appeals</b>												
a) From Judgment												
b) From Orders												
33. Revision Petitions	08	02	-	-	-	-	-	-	-	-	-	10
34. Civil References												
35. Civil Miscellaneous Petition under Article 227 of the Constitution												
<b>36. Other Appeals</b>												
a) City Civil Court Appeals												
b) Review of Judgments	01	-	-	-	-	-	-	-	-	-	-	01
c) Compensation, Claims & Special Appeals	06	04	-	-	-	-	-	-	-	-	-	10**
d) Original Civil Jurisdiction												
e) Execution First Appeals												
f) Special Tribunal Appeals												
<b>37. TOTAL</b>	<b>32</b>	<b>21</b>	<b>09</b>	<b>02</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>64</b>

1. [\* 30 (Thirty) Tax Appeals included]

2. [\*\*10 (Ten) MAC Appeals have been restored in terms of Order dated 10.10.2017 passed by Hon'ble Supreme Court in S.L.P. No. 27565 and 27566 of 2017]

  
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1	2	3	4	5	6	7	8	9	10	11	12	13
<u>APPELLATE SIDE(CRIMINAL)</u>												
<u>38. CRIMINAL APPEALS</u>												
a) <u>By persons convicted</u>	29	15	01	-	-	-	-	-	-	-	-	45
b) <u>By Government from Judgment of Acquittal</u>	04	01	02	-	-	-	-	-	-	-	-	07
c) <u>By Complaint U/S 378(4) of Criminal Procedure Code.</u>	06	03	02	-	-	-	-	-	-	-	-	11
<u>39. Criminal Revisions</u>	02	01	01	01	-	-	-	-	-	-	-	05
<u>40. Confirmation Cases U/S 366 of Criminal Procedure Code under Any corresponding Provision</u>												
<u>41. Criminal L. P.</u>	01	02	-	-	-	-	-	-	-	-	-	03
<u>42. Others</u>												
a) <u>Fresh Bail Application pending Investigation/Trial.</u>	--	--	--	--	--	--	--	--	--	--	--	--
b) <u>Bail including Anticipatory Bail</u>	--	--	--	--	--	--	--	--	--	--	--	--
c) <u>Revision Petition (FAM CT)</u>	01	--	--	--	--	--	--	--	--	--	--	01
<u>43. TOTAL</u>	43	22	06	01	-	-	-	-	-	-	-	72
<u>GRAND TOTAL (20+26+37+43)</u>	132	78	30	06	03	01	--	--	01	--	-	252

  
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PROFORMA-VSTATEMENT OF JUDGE STRENGTH OF THE HIGH COURT OF SIKKIM DURING THE HALF YEAR ENDING ON 31/12/2018

Sanction strength of judges	Actual strength of Judges				
	No. of judges entrusted with Court work only	No. of judges entrusted with other work exclusively	TOTAL	No. of Court Working days	Total number of judge days.
1.	2.	3.	4.	5.	6.
03	03	--	03	94	118

- 04(Four) days Dussehra Vacation i.e., on 15/10/2018 and from 22/10/2018 to 24/10/2018.
- 03(Three) days Diwali Vacation i.e., on 05/11/2018 to 06/11/2018 and 10/11/2018.
- 11(Eleven) days Winter Vacation i.e., on 15/12/2018, 17/12/2018 to 21/12/2018, 24/12/2018, 26/12/2018, 28/12/2018 to 29/12/2018 and 31/12/2018.

  
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