

**PROFORMA-I****STATEMENT OF WORK DONE BY THE HIGH COURT OF SIKKIM DURING THE QUARTER 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

**7. WRIT PETITIONS**

a) Service matter	30	04	-	04	-	-	-	04	--	--	--	-	30
b) Land Reforms													
c) Labour laws													
d) Others	75	08	-	06	05	-	-	11	--	--	--	-	72



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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.      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) <u>Contempt of Court(Civil)Petitions</u>	02	-	-	01	-	-	-	01	--	--	--	--	01
d) <u>Cross objections</u>	03	-	-	-	-	-	-	-	--	--	--	--	03
e) <u>Transfer Petition (C)</u>	--	01	--	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>113</b>	<b>14</b>	<b>--</b>	<b>12</b>	<b>05</b>	<b>--</b>	<b>--</b>	<b>17</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>--</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	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) <u>Transfer Petition (Crl.)</u>	--	--	--	--	--	--	--	--	--	--	--	--	--
b) Application U/S 482 of Criminal Procedure of 1973 of under any Other corresponding provision	03	03	--	01	--	--	--	01	--	--	--	--	05
<b>26. TOTAL</b>	<b>04</b>	<b>03</b>	<b>--</b>	<b>01</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>01</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>06</b>

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1	2	3	4	5	6	7	8	9	10	11	12	13	14
<b>27. APPELLATE SIDE (CIVIL)</b>													
<b>Writ Appeals</b>													
a) Service matters	03	-	-	-	-	-	-	-	-	-	-	-	03
b) Land Reforms including land ceilings													
c) Labour Laws													
d) Other	-	02	-	-	-	-	-	-	-	-	-	-	02
28. Letters patent Appeals													
<b>29. First Appeals from</b>													
a) Original Side													
b) Judgment	24	08	-	02	-	-	-	02	-	-	-	-	30*
c) Orders	01	02	-	-	-	-	-	-	-	-	-	-	03
30. Second Appeals from Judgment	04	01	-	-	-	-	-	-	-	-	-	-	05
<b>31. Miscellaneous First Appeals from</b>													
a) Original Side													
b) Judgment													
c) Orders													
<b>32. Miscellaneous Second Appeals from</b>													
a) Judgment													
b) Orders	--	--	--	--	--	--	--	--	--	--	--	--	-
33. Revision Petitions	06	05	-	01	-	-	-	01	-	-	-	-	10
34. Civil References													
35. Civil Miscellaneous Petitions 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 and Special Appeals	10 **	02	-	02	-	-	-	02	-	-	-	-	10**
d) Original Civil Jurisdiction Appeals													
e) Execution First Appeals													
f) Special Tribunal Appeal													
<b>37. TOTAL</b>	<b>49</b>	<b>20</b>	<b>-</b>	<b>05</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>05</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>64</b>

1. [\* 03 (Three) Tax Appeals included]

2. [\*\* 02 (Two) 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	43	06	-	01	02	-	-	03	-	-	-	-	46
b) By Government from Judgment of Acquittal	06	01	-	-	-	-	-	-	-	-	-	-	07
c) By complaint, U/S 378(4) of Criminal Procedure Code.	07	04	-	01	-	-	-	01	-	-	-	-	10
39. Criminal Revisions	04	01	-	-	-	-	-	-	-	-	-	-	05
40. Confirmation Cases U/S 366 of Criminal Procedure Code or under any Corresponding provisions.													
41. Criminal L.P.	08	-	-	03	02	-	-	05	-	-	-	-	03
42. Others													
a) Fresh Bail Applications pending Investigation of trial													
b) Bail including Anticipatory Bail	-	01	-	01	-	-	-	01	-	-	-	-	-
c) Review Petition (FAM CT)	01	-	-	-	-	-	-	-	-	-	-	-	01
43. TOTAL	69	13	-	06	04	-	-	10	-	-	-	-	72
GRAND TOTAL ( 20+26+37+43)	235	50	-	24	09	-	-	33	-	-	-	-	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	
<b>MAIN CASES</b>	2	3	4	5	6	7	8	9	10	11	12	13

**1.ORIGINAL SIDE(CIVIL)****1.Suits**

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

**7. WRIT PETITIONS**

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 -- -- 01 - - 73

8. a) Banking Regulation Act 1949

b) Execution, transferred &amp; Interlocutory

Applications U/S 45© of the Banking Regulation Act. 1949

**9. Company Petition & Applications**

a) Petitions

b) Applications in Petition

c) Applications in Liquidation Proceedings.

22/1/2019

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High Court of Sikkim  
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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
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- h) Application under Court Fees Act  
Regarding Valuation of Estate.
- i) Petition under Foreign Awards  
(recognition & Enforcement Act.1961)
- j) **Petitions/Applications for**
- i) Injunction in Original Proceedings
- ii) Appointment of Receivers in  
Original Proceedings

20	<b>TOTAL</b>	52	35	15	03	03	01	-	-	01	-	-	110
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**ORIGINAL SIDE(CRIMINAL)**

21. High Court Sessions

22. **Writ Petitions**

- a) Relating to Investigations or Trials  
Of Criminal Cases.

01	-	-	-	-	-	-	-	-	-	-	-	-	01
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23. Special Criminal Applications for  
Writs under the Constitution and  
U/S 491 of the Code of Criminal  
Procedure,1998

24. Criminal Contempt under the  
Contempt of Courts Act.

25. **Others**

- a) Transfer Petition (Crl.)

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

05	--	--	--	--	--	--	--	--	--	--	--	--	05
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26.	<b>TOTAL</b>	06	--	--	--	--	--	--	--	--	--	--	06
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22/1/2019



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

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

28. Letters patent Appeals

**29. First Appeals**

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

**31. Miscellaneous First Appeals**

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

**32. Miscellaneous Second Appeals**

- 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**36. Other Appeals**

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												

37. TOTAL 32 21 09 02 - - - - - 64

1. [\* 03 (Three) Tax Appeals included]

2. [\*\*02 (Two) 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]

20/1/2019

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

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22/1/2019

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: 12 :

PROFORMA-V

STATEMENT 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	34	45

1. 04(Four) days Dussehra Vacation i.e., on 15/10/2018 and from 22/10/2018 to 24/10/2018.

2. 03(Three) days Diwali Vacation i.e., on 05/11/2018 to 06/11/2018 and 10/11/2018.

3. 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.

  
22/1/2019

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High Court of Sikkim  
Gangtok

