

**HIGH COURT OF SIKKIM**  
**GANGTOK**

No.: 492.../HCS

Date:- 28/03/2024

**ORDER**

It has come to light that the registry sometimes places files before the Hon'ble, the Chief Justice, with proposals citing "past practice". This has to stop immediately since not all past practices were good practices based on cogent and justifiable grounds. In fact, a wrong precedent may easily be introduced by the Registry citing "past practice".

Henceforth, if any proposal is brought by the Registry of this Court before the Hon'ble, the Chief Justice, for His Lordship's consideration, such proposal should never be based on "past practice" but purely on the basis of extant rules/regulations/ guidelines, as may be applicable. In the event, there is no extant rule/regulation/guideline applicable in a particular case, cogent and justifiable reasons must be supplied by the Registry for placing such a proposal before the Hon'ble, the Chief Justice; not just by citing "past practice". In that event, it will be the Hon'ble, the Chief Justice, exercising residuary power as provided under the applicable rules, to take a decision thereof as may be deemed fit and proper.

By Order,

**sd/-**  
**(Prajwal Khatiwada)**  
Registrar General

**Memo No. 11972-79/HCS**

**Dated Gangtok, the 28<sup>th</sup> March, 2024**

**Copy to:-**

1. Additional Registrar-cum-Principal Private Secretary to Hon'ble the Chief Justice, High Court of Sikkim, Gangtok
2. Additional Registrar-cum-Private Secretary to Hon'ble Judge, High Court of Sikkim, Gangtok
3. Deputy Registrar-cum-Private Secretary to Hon'ble Judge, High Court of Sikkim, Gangtok
4. P.A to Registrar General, High Court of Sikkim, Gangtok
5. Director, Sikkim Judicial Academy, Gangtok
6. Member Secretary, Sikkim SLISA
7. Registrar, High Court of Sikkim, Gangtok
8. Registrar(Judicial Service), High Court of Sikkim, Gangtok
9. Central Project Coordinator, High Court of Sikkim, Gangtok
10. All Section-In-charge, High Court of Sikkim, Gangtok
11. File.

  
**Registrar**