

HC's new roster system gets IIM-I thumbs-up

RATIONALISED This will improve work flow and reduce burden on a section of officials. It will also help in listing cases and benefit litigants, says management study

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INDORE: Amidst a raging debate within the legal community in Madhya Pradesh over the newly introduced rationalised system for movement of files in the MP high court, which has replaced the old roster system, an Indian Institute of Management (IIM), Indore study has given thumbs-up to the new system.

The study, done by prof Rohit Kapoor and prof Patturaja Selvaraj, says the new system has improved the efficiency of the courts and benefitted the

litigants.

When the new system was introduced by the chief justice of the MP high court, Justice A M Khanwilkar, there was resistance from the lawyers. Even now, a petition regarding the changeover to the new system is pending in the Jabalpur high court.

According to the study, as the old roster system led to an unbalanced work flow, a section of the administrative staff was overburdened.

Also, there was no measure of standard time for filing, verification and listing of cases. There was also under utilisation of information technology

OLD SYSTEM

- Particular class and category of cases were listed before specific benches comprising either a single judge or two judges.
- Uncertainty when the freshly filed case will be listed for first hearing.
- Lawyers were compelled to seek early mentioning even for fresh cases.
- Uncertainty, in most of the cases, as to the further listing of dates.
- Less reliance on technology made management of cases tedious.

of information technology tools leading to poor monitoring and control system.

NEW SYSTEM

- Every bench to hear all types of cases.
- First listing of cases within three to five days of filing, subject to there being no filing objections/default.
- With cases getting listed within three to five days, the need for mentioning for fresh cases greatly reduced.
- Now, either the judges or the registrar gives a fixed date for next hearing.
- Use of technology besides enabling effective management brings about transparency.

The listing of cases depended on the performance of the administrative staff members.

There were possibilities of administrative staff members being subjective and also

playing to the wishes of other stakeholders including petitioners and lawyers regarding scheduling of cases.

So, many cases were not listed for long, and it delayed the process of ensuring timely justice. For example, a company case, for which a fresh application was filed in 1972, was pending before the high court till end of 2013!

The study found that the rationalised system brought about complete transparency. A litigant comes to know whether the advocate has filed his petition on time. The filing is communicated immediately

through SMS. The dealing staff comes to know well in advance about the listing of cases and hence prepares the file to be seen to the high court bench well in advance.

The new system has resulted in higher disposal rate of cases. For example, the average case disposal per judge per month has increased from 281 (first quarter 2013) to 378 in the first quarter of 2014. Also, the total pending cases in Jabalpur has decreased by 4,280 cases in the first quarter of 2014 whereas it increased by 821 cases in first quarter of 2013. In Indore, the number of cases has increased

by 667 (first quarter of 2014) whereas the number of cases increased by 2,630 in the first quarter of 2013.

The study found that there is equal distribution of work among the staff members and the judges. For example, earlier, around 75 cases were listed before the judges and now 100 cases are being listed before the bench.

Earlier, while the cases were allotted on the basis of category of the case, software allocates the cases logically. Hence the work is equally distributed among the staff and the judges.