

**Synopsis of the 4<sup>th</sup> Sessions of the  
State Level Judicial Officers Conference (Civil Judges)  
held at High Court of Lucknow on  
Civil and criminal procedure for furtherance of substantial justice.**

Hon'ble Mr. Justice Arun Mishra, Judge Supreme Court of India,  
Our Chief Justice,

My Sister and Brother Judges on the dias and of the dias,

All delegates and members of the judicial fraternity,

Ladies and gentlemen.

It was not my cup of tea to submit any synopsis on what transpired during the session 4<sup>th</sup> but for the last minute cosmetic changes whereby in addition to panel speaker, I have been clothed with the duty of the Co-Chairperson.

In the 4<sup>th</sup> Session of the Conference, we had a lively discussion on “Civil and criminal procedure for furtherance of substantial justice.”

My esteemed brother justice A.P. Sahi, Chairperson of the Session, while introducing the topic observed that extraordinary situations require extraordinary remedies and the rules of the procedure ought to be moulded in such a way as may be necessary to award the relief which the extraordinary situations demands.

The Hon'ble Mr. Justice Manoj Mishra, Hon'ble Mr. Justice Rajan Roy, Hon'ble Mr. Justice Pratyush Kumar and Hon'ble Mr. Justice Sanjay Harkauli and myself all deliberated on the role of procedural law in advancement of substantial justice.

The two delegate speakers Sri Ravindra Kumar Dwivedi and Sri Abhishek Upadhyaya also presented their views. They both respectively suggested for speedy committal of the criminal cases and ways to avoid adjournments.

The main points which emerge out from the discussions are as under:-

- (1) Rules of procedures are only tools for justice;

- (2) The procedure laid down if necessary be moulded to decide the real controversy;
- (3) Procedural laws provide for natural way of doing things but does not bar adoption of additional procedure as the situation may demand;
- (4) There has to be a human approach in following the procedure prescribed so that it serves the ends of justice and it should not be applied in such a manner to kill the right/duty of any party;
- (5) The discretionary power vested in courts must be exercised without hesitation if the situation warrants; and
- (6) The most important procedural tool in the hands of the court is exercise of inherent power under Section 151 C.P.C. which can be used to mitigate any hardship to subserve the ends of justice even after the pronouncement of the judgment.

The conclusion was that **“the sole object of procedural law is to promote justice.”**

Thanking you.