

High Court of Judicature at Allahabad

Notice

Advocates and parties appearing in person are hereby informed that from 21 August 2017 onwards, the fresh and listed Company matters, Civil Revisions and Transfer Applications under Section 24 CPC shall be taken up in e-Court. Thereafter in all three jurisdictions petitions, counter affidavits, rejoinder affidavits, applications and all other documents will only be accepted through e-filing either electronically online or at the e-Court Services established on the first floor near Court No. 5.

The instructions for e-filing approved by Hon'ble The Chief Justice, High Court, Allahabad are available on the website of the Allahabad High Court and can be downloaded. A hard copy of the instructions is also available at the e-Court Services.

Sd/-
Registrar General
16.08.2017

**INSTRUCTIONS FOR ELECTRONIC FILING (E-FILING)
IN THE ALLAHABAD HIGH COURT**

1.1 These instructions will apply to Electronic Filing (e-filing) of cases in the High Court of Allahabad and will be effective from the dates and for the categories of cases, as may be notified by the Chief Justice, Allahabad High Court, from time to time.

1.2 Except as provided elsewhere in these instructions, all petitions, applications, appeals and all pleadings/documents in fresh, pending and disposed of cases will be filed electronically in the manner hereafter provided.

2. PREPARATION OF AN E-FILE

2.1 The original text material, documents, notice of motion, memorandum of parties, main petition or appeal, annexures as the case may be, and interlocutory applications etc. will be prepared electronically using MS Word or Open Office, or any other word processor. The formatting style of the text will be as under:

Paper size : Legal (8.5' X 14')

Margins :

Top : 1.5"

Bottom : 1"

Left : 1.75"

Right : 0.5"

Justification : Full

Font : English (Arial size : 12)

Hindi (any unicode font, font size : 14)

Line spacing : Double

2.2 Where the document is not a text document and has to be enclosed with the petition, appeal or application or other pleadings as an annexure, it should be scanned as black & white, at a resolution of 300 dpi (dot per inch) and saved as a PDF document.

3. PAYMENT OF COURT FEE

Court fee has to be paid by purchase of electronic court fee either from the online facility provided by the Stock Holding Corporation of India Limited

(<http://www.shcilestamp.com/>) or at the counters provided for the purpose in the High Court. The payment receipt provided by the Stock Holding Corporation of India Limited has to be attached with the e-file as a scanned document in actual size, as the original, failing which it may be unusable, rendering the case file defective.

4.Manner of swearing of e-Affidavit

i).Some oath commissioners have been identified who have been provided finger print scanners for taking thumb impressions of deponents and affixing them on the e-affidavit, similar to the procedure used in normal affidavits. The oath commissioner may also obtain and retain the actual thump impression of the deponent, obtained manually, for his record.

ii). The Oath Commissioner shall mention the serial number of the Oath Commissioners Stamp / Ticket along with his name and other necessary details and shall append his electronic signature of the affidavit. He shall however affix the actual stamp / ticket on this register and furnish the same to the High Court fortnightly, or at such intervals, as may be specified.

The oath commissioners identified for e-swearing of e-affidavits are only for the initial period till such time other oath commissioners are able to procure the necessary hardware for the purpose.

5.The vakalatnama shall be scanned and attached so that it contains the image of the welfare ticket affixed thereon.

6.Once all the documents have been collated they shall be attached in a single file as per the Index. The file shall be converted into Portable Document Format (PDF), using any PDF converter or in-built PDF conversion plug-in provided in the software and **bookmarked** as per index. The index must also be duly linked so that each entry in the index gets hyperlinked to the relevant part of the document and can be accessed from the index itself.

For bookmarking the document, according to the index, any free software can be used as per convenience, eg **Foxit PDF, JpdfEdit995** etc., Such softwares are available for free download on the internet. Paid software like Adobe Acrobat Pro can also be used for this purpose.

7.The bookmarked PDF should be uploaded at the time of e-filing by using the facility provided at the e-filing counters in the High Court and also on the High Court website.

8.DIGITAL SIGNATURE

All PDF's filed using the e-filing system need to be digitally signed by the filing Advocate (Each PDF file separately) or by the party concerned, where it is filed in person.

A digital signature is required to maintain integrity of the uploaded file or document and to eliminate any chance of its tampering.

The procedure to obtain digital signatures and to digitally sign the PDF's is set out separately.

9.MODE OF e-FILING

i) e-files can be brought by the Counsels either on CD/DVD or in Pen drive. 10 systems have been provided in the e-filing counter where the Counsel or his clerk can upload the e-file. The e-file can also be uploaded via internet through the link provided in the Allahabad High Court official website for this purpose.

Note: It would be advisable that a pen drive be used for this purpose because it is a common experience that a CD/DVD written on one computer often fails to open on other computers.

ii) The manner of accessing the e-filing portal and filling up the relevant columns for the purpose of e-filing are as follows:

(A) User Registration (one time):

- Lawyer (Advocate Roll)
- Party in Person

•User (party in person) has to provide email id and mobile number for registration. User has to enter the OTP to validate it by clicking on 'Validate OTP' button. After validation a Registration Form will open where user has to provide basic details viz. Name, password (minimum 8 characters and must contain at least one upper case letter, one lower case letter, one digit, one special characters), gender, Date of Birth (DoB), other contact number, address, pin etc.

•In case of an Advocate, login ID shall be the Advocate Roll No. allotted by the Allahabad High Court and the initial password shall be the UP Bar Council enrollment no. The lawyer has to enter the OTP to validate it by clicking on 'Validate OTP' button. The Advocate should change the initial password after registration for better security.

(B) Case Filing:

(B-1) User has to login with login Id and password.

(B-2) After login a dashboard will appear. It will consist of features viz. filing of new case, upload documents, help etc. as well as statistics of filed cases, pending cases, drafts, defects, payments etc. of that user.

(B-3) To file a new case the user has to click on “New Case” button, where upon a proforma called “Proforma for First Listing” will appear. The proforma will contain multiple tabs in reference of case details, petitioner(s), respondent(s) etc. User has to fill all the relevant information viz. case type, First petitioner, first respondent etc.

(B-4) The proforma will also contain a section called “Special Category” for first petitioner only which will have options (check boxes) which can be selected viz. “Senior Citizen”, “SC/ST”, “Women/Child”, “Disabled”, “Legal Aid Case”, “In Custody”.

(B-5) After the user enters the basic details of cases mentioned above and presses “Next” a draft number e.g. 102/2017 will be generated for that particular case.

(B-6) The next tab will be for “Act details” where a drop down list of Central or State rules/ Acts/ Sections etc. will be available. After selecting the relevant provision/ Act/ Rule etc the user will click on “Add” button. All the details selected in this tab will be displayed to the user which can be edited before proceeding to the next tab.

(B-7) In the next tab “Petitioners”, the user will enter all the details viz. Name, address, contact details etc. of the petitioner(s). The user can add numbers of petitioners as required. To eliminate the necessity of manual entry, provision to upload CSV (Comma Separated Value) file for Petitioner(s) will also be given to the user (Lawyer).

(B-8) In the next tab “Respondents”, the user will enter all the details viz. Name, address, contact details etc. of the Respondent(s). The user can add numbers of Respondents as required. To eliminate the necessity of manual entry, provision to upload CSV (Comma Separated Value) file for Respondent(s) will also be given to the user (Lawyer).

(B-9) “Upload File”: the user will be required to upload case file which will be a bookmarked (as per the index) PDF file duly digitally signed.

(B-10) On completion, a “Preview” page will open containing all the previously filled details. User can view/ modify previously filed information before the “final submission”.

(B-11) After “Final Submission” of a case, eFiling No. (Diary no.) will be generated which will be reflected on the dashboard.

(B-12) If any defect is reported by the office, such communication will also be reflected on the dashboard and the Lawyer/Party in Person has to remove the defects as per Law.

(B-13) Once the defects, if any, are removed, and case file is cleared by the office for registration, case number will be reflected on the dashboard.

(B-14) The user can view in the dashboard, his previous history of filed or draft cases.

10.REPORT OF STAMP REPORTER

1. The Stamp Reporter shall append his reports on the e-case file electronically. Any defects pointed out shall be intimated through SMS and email, on the registered mobile number and registered e-mail ID of the person who has filed the case.
2. The defects shall have to be rectified / removed within 7 days, whereafter the e-file will be locked and will have to be uploaded afresh, as a fresh case, using the procedure provided above.
3. Apart from making good a deficiency in court fee payable, all other defects shall require a complete e-file to be uploaded afresh, after removing the defect
4. Once an uploaded e-file is without defects or the defects have been removed, the case shall be duly registered and will be allotted a number. A notification of the same shall be sent to the person who has filed it, via SMS and email. After 48 hours of registration, the matter shall be placed before the designated Court, unless at the time of initial upload, the Advocate or person uploading it, has indicated a specific date for the matter to come up before the Court.
5. The same period of 48 hours shall apply to all misc. Applications etc filed by a party.

11. COMPUTATION OF TIME

1. Electronic filing through the e-filing centre is permissible during normal court hours on the date of filing. All other rules relating to holidays etc. for the purpose of

computation of limitation, as specified in the Rules of the Allahabad High Court will apply to online electronic filing as well. The period during which e-filing system is in-operational for any reason will be excluded from the computation of such time. This, however, will not extend limitation for such filing for which the facility of Section 5 of the Limitation Act, 1963 or any other statutory extension of period of limitation is not available.

2. For electronic filing done through the e-filing centre in the High Court premises, the rules relating to time for the purposes of limitation will be no different from those applicable for the normal filing.

3. As and when the facility of electronic online filing commences, such electronic online filing through the internet would be permissible up to midnight on the date of filing.

12. SERVICE OF ELECTRONIC DOCUMENTS

Notices, documents, pleadings filed electronically shall, unless impossible, be served electronically or through the postal department through their ePost services.

13. CAVEATS, SUPPLEMENTARY AFFIDAVITS ETC.

Caveats can be registered, and all written statements, counter and rejoinder affidavits, documents, applications in pending matters or in disposed of matters, can be filed electronically using the e-filing system.

14. AMENDMENT IN PLEADINGS:

14.1 E-filing of amendments in pleadings shall be permitted/ possible electronically only after the amendment application is allowed by the Court. The option/ facility for uploading amended pleading electronically will be available only during the period provided under the law.

14.2 After the amendment application has been allowed the counsel shall have to upload a fresh amended copy of the entire pleading so permitted to be amended showing the original pleading which should be struck out by a single line and should incorporate the actual amendment in **red font colour**.

15. FACILITY OF SCANNING

Initially apart from e-filing counters, services of Stockholding Corporation have been

requisitioned by the High Court for generating e-files for being uploaded by counsel against payment of nominal charges.

16. RETENTION OF ORIGINALS

1. The originals of the documents that are scanned and digitally signed either by counsel or parties in person at the time of e-filing should be preserved for production if so required by the court at any time. In any event, signed Vakalatnama, signed and notarized/attested affidavit and any other document whose authenticity is likely to be questioned should be preserved at least for a period of two years or more, if law provides, after the final disposal of the case: (Final disposal shall include disposal of appeals if any).

2. The responsibility for producing the originals and proving their genuineness, if required, shall be of the party that has electronically filed the scanned copies thereof.

17. ACCESS TO ELECTRONIC DOCUMENTS

Access to documents and pleadings filed electronically in a case will be provided only to advocates for the parties in that case or the concerned parties themselves (mode to be finalised).

18. HARD COPIES OF PLEADINGS/ DOCUMENTS FILED ELECTRONICALLY

Lawyers as well as parties can print hard copies of all pleadings and documents filed electronically for their use in the court or elsewhere.

19. CASE LAW RELIED UPON

Along with the e-file to be uploaded, the Counsel or party can furnish a list of cases / judgments relied upon with full particulars (full citation) so that the relevant case law is available with the Court at the time of arguments. This shall do away with the necessity of producing the relevant Journals or photostat copies of judgments relied upon.