

# Chapter - 1:

# Understanding of

# High Court

# Jurisdiction

- Overview
- Original Jurisdiction - Company Matters
- Original Jurisdiction - Custom, VAT, TM, Review, Petition
- Cr. Misc.
- First Appeal
- Civil Revisions
- Writ Petition

# Overview

## Digital Filing

The digital filing system of the Supreme Court serves as a platform for completing the whole filing process. Various base data such as data of Filing Section, Affidavit Section, Court, Benches, Divisions, Record Room, Appeal Sections, Dispatch section, Death Reference Section, Paper Book Section, etc. are filed in this system. It comprises all capabilities for maintaining, storing, publishing, and retrieving case files, case paperwork, evidence, court orders, judgments, and other important documents. The target of this platform is to ensure accessibility, accountability, sustainability, scalability, reliability of judiciary filing usage and access process and accelerate beneficiaries' satisfaction.

## Overall Project Objective:

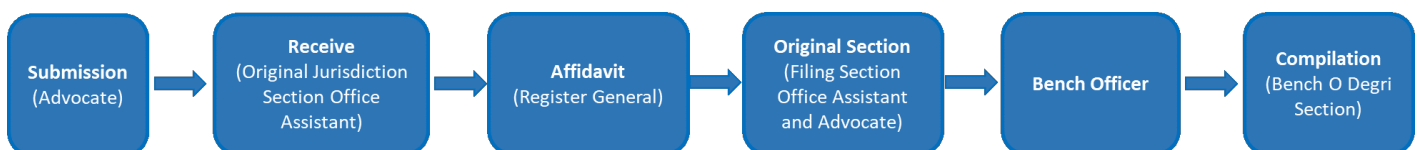
There are different types of cases are filing in the High Court Division, such as, Cr Misc., Criminal Revision, Criminal Appeal, First Appeal, Civil Revision, Jail Appeal, Death Reference, Writ, Original Jurisdiction. On that purpose need an already proven configurable workflow system that have been used to develop as a backbone for any E-Filing System. The system must configure with the various base data for Filing Section, Affidavit Section, Court, Benches, Divisions, Record Room, Appeal Sections, Dispatch section, Death Reference Section, Paper Book Section, etc. where cases are filing.

The Government of the People's Republic of Bangladesh has taken several initiatives regarding making the country digitally empowered in the field of technology by ensuring Government services available to citizens electronically as well as making the country digitally empowered in the field of technology. In collaboration with Government Judiciary offices, A2i has brainstormed an idea to introduce a centralized digital filing platform enhancing the availability of case related documents electronically from anywhere and anytime.

There is a very limited use of technology to access the case file from different filing sections in Supreme Court. And usage of files is still in its manual form. Even though there is a recent initiative to receive the application online, but most of the file handling happening by using hard copy of the submitted applications. But now it's time to ensure the introduction of information system in the court which will help to reduce the number of pending processes, boosting he efficiency of the services provided to citizens and to the society in general.

# Original Jurisdiction - Company Matters

1. **Legal Counsellor** prepares the document. The document may vary depending on the type of case. For instance, Trade License, Mem. Of Article, AGM or EGM, Company Authorization to a Person, Power of Attorney to Advocate, Advocate bar Certificate etc.
2. Advocate Person comes Original Jurisdiction section and with the help of the Office Assist. Get the court fee for this type of Case and attach the stamp accordingly.
3. Submit the documents to the Original Jurisdiction Section and get the entry number (e.g., 2503). Original Section makes a registry entry with an entry number. They usually enter - Date of entry, Entry number - Start from 1 every year, Title of the Case, Tribunal Office Name, Plaintiff (□□□□) Name, Defendant (□□□□□) name, Advocate Name, Court Fee, Descripti Appeal, Tribunal Verdict Date, Tribunal Verdict submission or return date, Degri form received date, Sign of Advocate or His clerk.
4. Then the documents go to Registrar General for Affidavit - There he checks all the documents validity along with the authorized person (Deponent), his national ID and his signature as well as court fees.
5. Then the files again come to the original section and register a new number as case number.
6. The Advocate Person collects the case number and communicate with the relevant court bench officer for case date with mention slip.
7. Bench Officer Send all the mention slips to "Bench O Degri" Section for compilation. There they compile all those and send it to BG Press at the evening for publishing Cause list. In the morning Cause List circulated to all relevant sections.

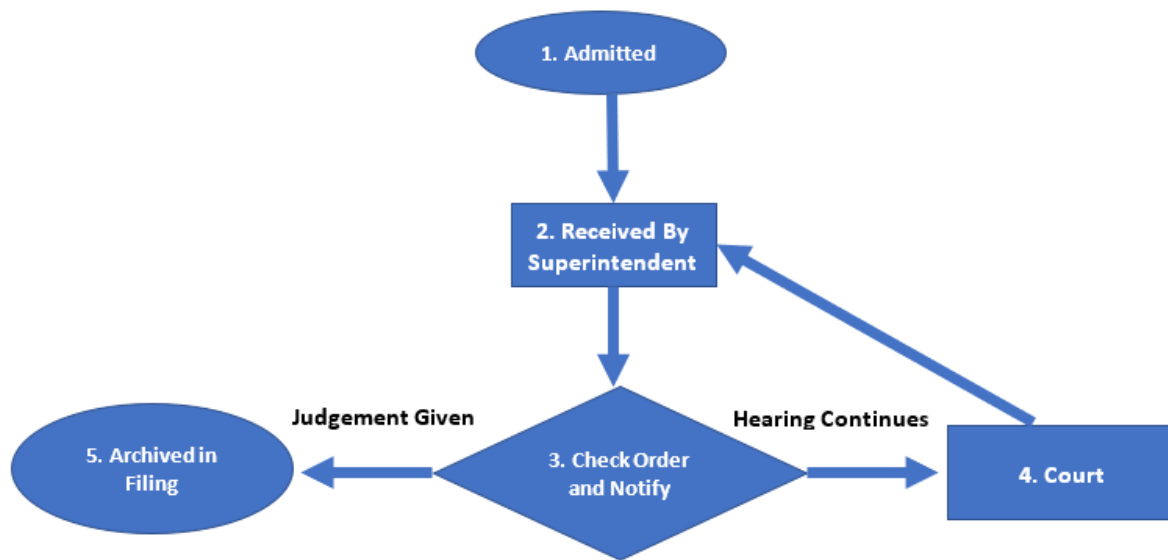


8. Then the Case was admitted from court.

1. After being admitted into the court the file comes to the Original Jurisdiction Section Superintendent (Super). Super then distribute the file among the Office assistant for Docketing.
2. After Docketing the orders from the court are given to the typist for typing then another office assistant compares the orders and sent it to Super for final review. Then the typed order goes to Cr. Misc. Assist. Registrar for approval.
3. Then Notice has been prepared and send to corresponding parties. (□□□□, □□□□□, adv., Attorney office, etc.).
4. File may again go to court if there is a new hearing until the case ends with final verdict

[Step-i to Step-iv Cycle]

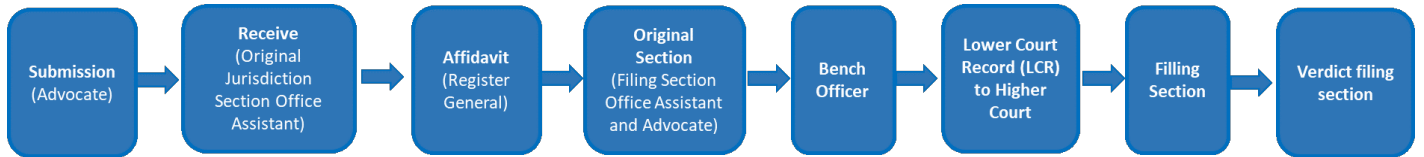
5. After the final verdict from the court then again, the step-i to step-iv executed then finally file goes to the record room for record-keeping.



# Original Jurisdiction - Custom, VAT, TM, Review, Petition

1. Legal Counsellor prepare the document. Document may varies depending on the type of case. For instance, Trade License, Mem. Of Article, Company Authorization to a Person, Power of Attorney to Advocate, Tribunal Order etc.
2. Advocate Person come to Stamp Checker for the required stamp amount for court fee. Then attach the stamp with the documents file after purchasing it.
3. Submit the documents to the filing section-original and get the entry number (e.g. 2509). Filing section makes a registry entry with an entry number. They usually enter - Date of entry, Entry number - Start from 1 every year, Title of the Case, District Court Name, Plaintiff (□□□□) Name, Defendant (□□□□□□) name, Advocate Name, Court Fee, Description of Ap Lower Court Verdict Date, Date Lower Court or Tribunal Verdict submission or return date, Degri form received date, Sign of Advocate or His clerk.
4. Then the documents go to Registrar General for Affidavit - There he checks all the documents validity along with the authorized person (Deponent), his national id and his signature. Registrar Gen. Calls the Deponent for physical checking -- matches with NID and Physical Appearance. Also talk with Deponent, he really knows the company or not.
5. The files again come to filing section and register a new number named **appeal number**. Case number also start each year (e.g., 191).
6. The Advocate Person collect the appeal number and communicate with relevant court bench officer for case date.
7. Filing section also notify Plaintiff (□□□□), defendant (□□□□□□) and corresponding tribunal. All notifications are registered with date.
8. Also, Tribunal or lower court send the Lower Court Record (LCR) to Higher court and filing section received it and filed it into the case file. LCR also collected by □□□□ or □□□□□□. Received is recorded in the register.
9. After publishing it into Cause List filing section again takes necessary actions - Like inform with Company person and lawyer, Inform plaintiff (□□□□), Defendant (□□□□□□), Attorney Office.
10. The hearing goes on in different dates **Cause list** updated accordingly and filing section takes action according to each hearing orders -- if requires. If any notification requires to Attorney office, or any other person or organization. Or any other action requires like sending Summons or even arrest warrant.
11. After the verdict filing section takes relevant actions according to the verdict and send the files to record room for preservation. Advocate person collect the certified copy for

his client or company.

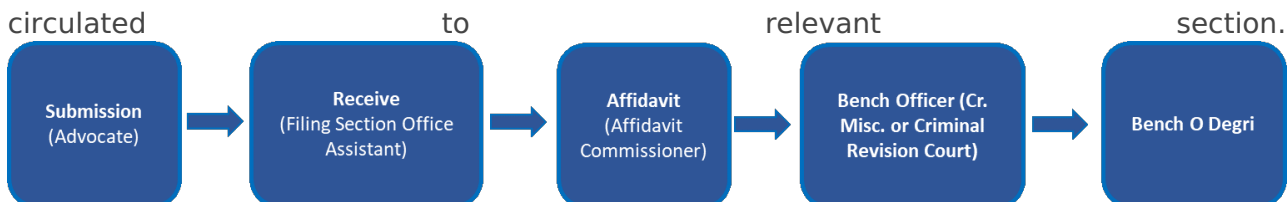


# Cr. Misc.

Actors: **Legal Counsellor, Advocate or his nominated Person, Office Assistant (Filing Section), authorize person (deponent), affidavit commissioner, Lawyer, bench officer (Cr. Mics or Criminal revision courts), CR. Misc. Section Superintendent (Super).**

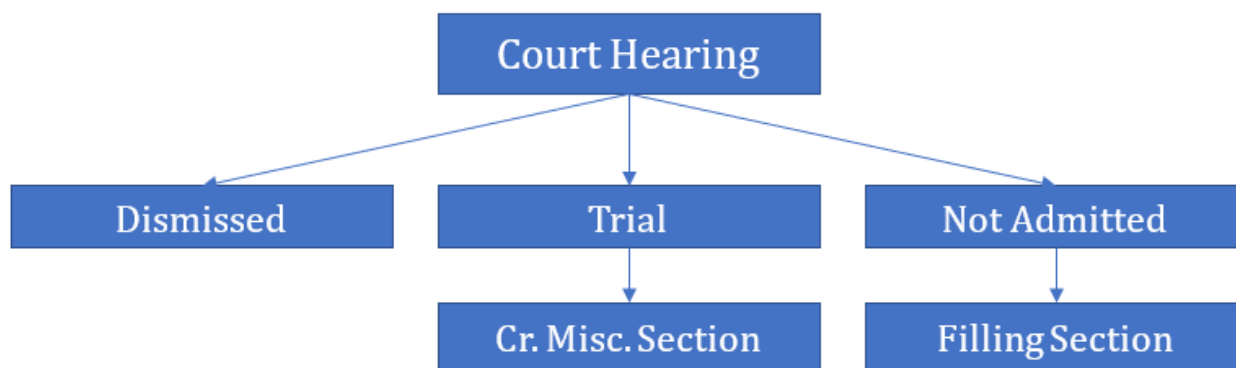
The Criminal Miscellaneous Petitions are one of the important tasks of the Judge in the Criminal Court. The filing of Criminal Miscellaneous Petition will start even before registering the case by way of anticipatory bail application.

1. **Legal Counsellor** prepares the document. Document may varies depending on the type of case. For instance, certified copy of the Lower Court Verdict, FIR Copy, Identify of Deponent, Authorization Letter, Advocate Bar Certificate, Power of Attorney to Advocate etc.
2. **Advocate or his nominated Person** collect the required stamp amount for court fee from the **filing section** (if needed). Then attach the stamp with the documents for file after purchasing it. In general, 30-taka stamp is required but it may vary with the cases.
3. Token is collected from **Kiosk** providing mobile number. Advocate or his nominated person's mobile number is provided.
4. The Documents are submitted to the filing section with the token. **Office Assistant** of the filing section **set an entry number** for the submitted documents.
5. Then Filing section checks the documents and punch stamp then enter an entry number along with other information to the registry. If everything is OK filing section enters a **Tender Number**. Advocate person then take the documents along with them with tender number
6. Then the **authorize person (deponent)** takes the documents to the **affidavit commissioner**. He checks the documents and identity of the deponent and make affidavit seal to the document.
7. Then the **Lawyer** or his person takes the verified document to either one of the **Mics or Criminal revision courts** of their choice and submit the documents to the **bench officer** with mention slip (tender number)
8. Bench Officer send all the mention slip he got that day to "**Bench O Degri**" Section. They compile it and sent to **BG Press** to publish in the Cause List. Then the cause list is circulated to relevant section.



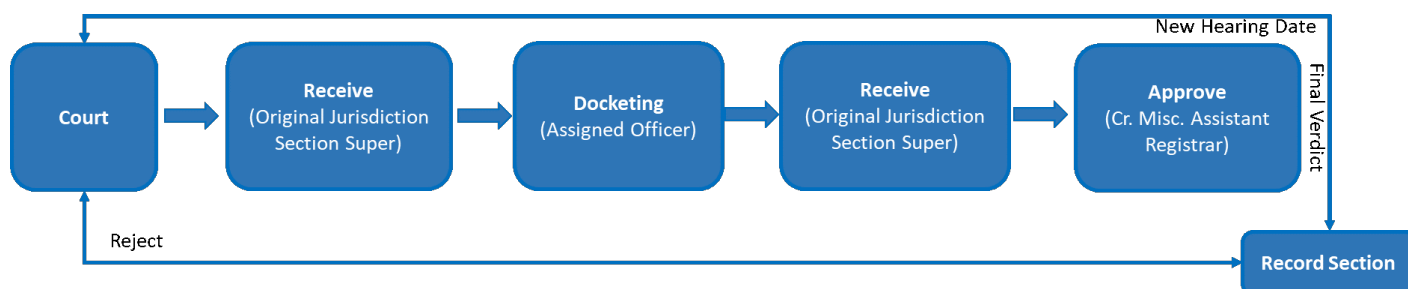
9. After hearing from the court, either case dismissed or case has been taken for the trial.

10. If the case had taken for the trial (admitted) then the documents are sent to the "Cr.Misc. Section" for further operation. If court doesn't admit the case, then filing section preserve the case and send it to Cr. Misc. Record room.



11. The hearing goes on in different dates because list updated accordingly and "**CR Misc. section**" takes action according to each hearing orders -- if requires.

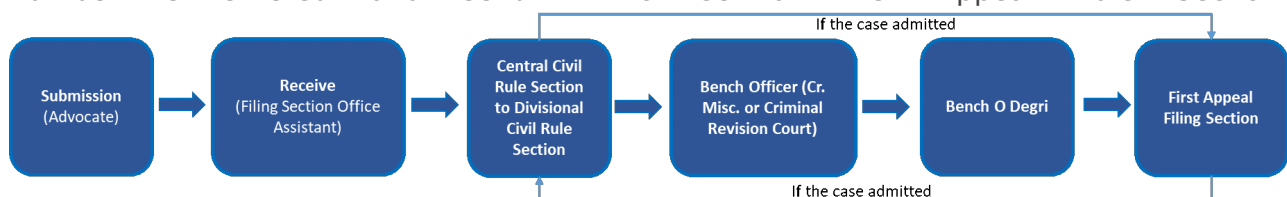
1. After Admitted into court the file comes to **Misc. Section Superintendent (Super)**. Super then distributes the file among the Office assistant/administrative officer for Docketing
2. After Docketing a new file number as Case number has entered on new file. Then the orders from court is given to typist for typing then another office assistant compare the orders and sent it to Super for final review. Then the file goes to Cr. Misc. Assist. Registrar for approval.
3. Then Notice has been prepared and send to corresponding parties. (□□□□, □□□□□□, adv., Attorney office, etc.).
4. File may again go to court if there is new hearing until case ends with final verdict [Step-1 to Step-4 Cycle]
5. After final verdict from court then again, the step-1 to step-4 executed then finally file goes to record room for record keeping
6. If Appeal has rejected from the court on the first hearing, then also the file is directly going to Record room without the case number -- only with tender number.





# First Appeal

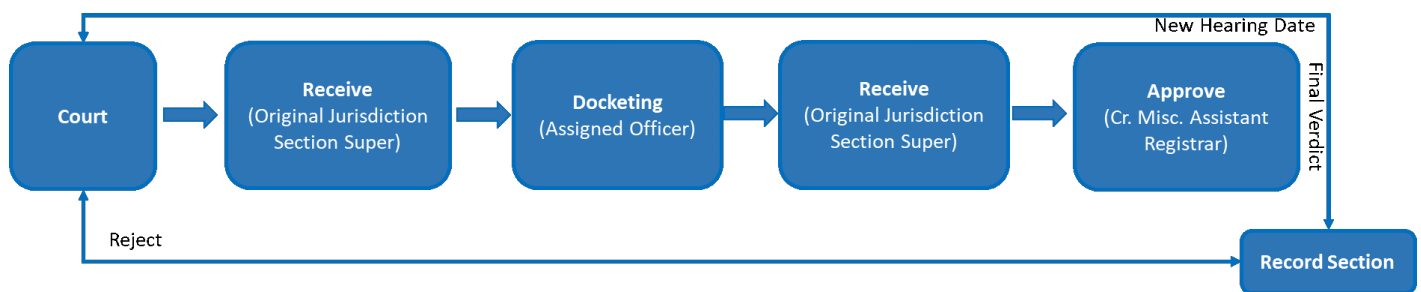
1. **Legal Counsellor** prepares the document. Document may varies depending on the type of case.
2. **Advocate or his nominated Person** collect the required stamp amount for court fee from the **filing section** (if needed). Then attach the stamp with the documents for file after purchasing it. In general, 30-taka stamp is required but it may vary with the cases.
3. Token is collected from **Kiosk** providing mobile number. Advocate or his nominated person's mobile number is provided.
4. Submit the Documents **First Appeal filing section** with the token.
5. Filing section checks the documents and punch stamp then enter an entry number along with other information to the registry. If all the required papers ok then enter **FMAT** (First Mics. Appeal Tender). They check the dates for the appeal if dates fail then it goes to **First Appeal Rule Section** for date extension. They usually enter - Date of entry, Entry number - Start from 1 every year, Title of the Case, District Court Name, Plaintiff (□□□□) Name, Defendant (□□□□□) name, Advocate Name, Court Fee, Description of Appeal, Lower Court Verdict Date, Date Lower Court or Tribunal Verdict submission or return date, Degri form received date, Sign of Advocate or His clerk.
6. **Central Civil Rule Section** then sends the files to corresponding **Divisional Civil Rule Section**.
7. If the date is OK then filing section docket the documents attaching order sheet to the file. Then the file again goes to **stamp reporter** for recheck and his comment on the order sheet.
8. **Advocate or his clerk** collect the FMAT number and give it to one of his desired court bench officers as Mention Slip. **Bench Officer** then give all the mention slip he collected to "Bench O Degri" Section.
9. **Bench O Degri** section then compile all the mention slip he got from different bench officer and send the compiled version to BG Press at night.
10. **BG Press** publish all these as **Cause List** and return to Bench O Degri Section. Bench O Degree Section then circulate Cause List to relevant section and courts.
11. If case admitted to the court on first hearing, the file again come to **First Appeal filing section**. Here a new number is given. In case of the appeal is against a lower court order then new FMA number is entered. In case the appeal is against judgement then a new FA number is entered and send it to Central First Appeal Rule Section.



12. Central Civil Rule Section then sends the files to corresponding Divisional Civil Rule Section. C. Filing section takes necessary steps according to the courts instructing. E.g., inform Legal Counsellor or Attorney office or Lower Court for the LCR etc. or Even any

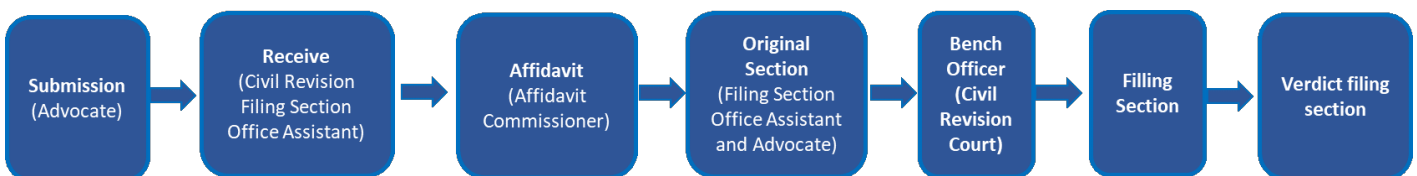
Summons or Arrest warrant.

1. After Admitted in court the file comes to **Original Jurisdiction Section Superintendent** (Super). Super then distribute the file among the Office assistant for Docketing.
2. After Docketing the orders from court is given to typist for typing then **another office assistant** compare the orders and sent it to Super for final review. Then the typed order goes to **Misc. Assist. Registrar** for approval.
3. Then Notice has been prepared and send to corresponding parties. (■■■■, ■■■■■, ad Attorney office, etc). "Legal Counsel Collect ■■■■■■, Postal form and Quick notice form, etc Also takes necessary steps according to the courts instructing. e.g. inform Legal counsellor or Attorney office or Lower Court for the LCR etc. or Even any Summons or Arrest warrant.
4. File may again go to court if there is new hearing until case ends with final verdict [Step-1 to Step-4 Cycle]
5. After final verdict from court then again, the step-1 to step-4 executed then finally file goes to record room for record keeping



# Civil Revisions

1. **Legal Counsellor** prepares the document. Document may varies depending on the type of case.
2. **Advocate or his nominated Person** collect the required stamp amount for court fee from the **filing section** (if needed). Then attach the stamp with the documents for file after purchasing it. In general, 30-taka stamp is required but it may vary with the cases.
3. Token is collected from **Kiosk** providing mobile number. Advocate or his nominated person's mobile number is provided.
4. Submit the Documents **Civil revision filing section** with the token.
5. Filing section checks the documents and punch stamp then enter an entry number along with other information to the registry. They usually enter - Date of entry, Entry number - Start from 1 every year, Title of the Case, District Court Name, Plaintiff (□□□□) Name, Defendant (□□□□□) name, Advocate Name, Court Fee, Description of Appeal, Value of Land c Property, Lower Court Verdict Date, Date Lower Court or Tribunal Verdict submission or return date, Degri form received date, Sign of Advocate or His clerk.
6. Then the **authorize person (deponent)** takes the documents to the **affidavit commissioner**. He checks the documents and identity of the deponent and make affidavit seal to the document. After Affidavit filing section enters a case number along with the date and advocate nominated person collect it from filing section.
7. Then the Lawyer or his person communicate with the one of the **Civil revision courts bench officers**.
8. Bench Officer enters the case number into Cause List for the first hearing with the consent of the relevant Justice for the hearing
9. After Publishing the cause list filing section again register the date with the case number and inform relevant person. Legal counsellor, Attorney's office
10. The hearing goes on in different dates **Cause list** updated accordingly and filing section takes action according to each hearing orders -- if requires. If any notification requires to Attorney office, or any other person or organization. Or any other action requires like sending summon or ever arrest warrant



# Writ Petition

1. **Legal Counsellor** prepares the document. Document may varies depending on the type of writ.
2. **Advocate Person** come to filing section to know what about the specific writ stamp or amount to be deposited.
3. Submit the Documents to **Writ filing section** with the appropriate revenue stamp for court fee.
4. Filing section checks the documents and punch stamp then enter an entry number along with other information to the registry. They usually enter - Date of entry, Entry number - Start from 1 every year, Title of the Case, Plaintiff (□□□□) Name, Defendant (□□□□□□) name, Advocate Name, Court Fee, Description Writ, Sign of Advocate or His clerk.
5. Then the **authorize person (deponent)** takes the documents to the **affidavit commissioner**. He checks the documents and identity of the deponent and make affidavit seal to the document.
6. Then the file goes to **Writ filing section** They enter a Writ number into the case along with other information.
7. Advocate or his nominated person takes the Writ Number and communicate with **Writ court bench officer** for Writ for hearing.
8. Then Bench officer enters the Writ to the **Cause List** with the consent of the justice on specific date.
9. Again, filing section register the date and inform relevant person or office. i.e. □□□□ or □□□□□□. section takes necessary steps according to the court's instruction. E.g. inform Legal counsellor or Attorney office or Lower Court for the LCR etc. or Even any Summons or Arrest warrant.
10. Then on after each hearing Writ filing section register the instruction and take appropriate action on them until final verdict. If any notification requires to Attorney office, or any other person or organization. Or any other action requires like sending summon or ever arrest warrant.
11. After Final Verdict Writ filing section enters the final verdict summary with dates and send the file to record room for archive and also legal counsellor and attorney office collect certified copy of the verdict.

