

News

Changes to the mentioning, urgent listing, and adjournment rules will take effect on December 1st, according to the Supreme Court.



The new regulations demand consent-backed adjournment petitions, prohibit senior counsel from raising bail and liberty matters, and necessitate automatic listing of such matters.

The Supreme Court has imposed a complete ban on Senior Advocates bringing up cases for listing, as well as a reorganization of the process for requesting urgent listing, adjournments, and early hearings of cases.

In order to achieve this, the Court released four circulars that will take effect on December 1.

Days after Justice Surya Kant became Chief Justice of India, the measures were announced with the intention of reducing unrestrained mentions before benches and establishing predictable deadlines for plaintiffs, particularly in cases involving personal liberty.

The first set of guidelines prohibits oral mentioning in a number of categories and limits it before the Chief Justice of India.

Young junior lawyers are encouraged to take up mentioning in place of senior counsel, who will no longer be permitted to do so before any bench.

All urgent new cases affecting liberty or urgent interim relief are now automatically listed by the Court.

Within the next two working days following verification, new petitions requesting regular bail, anticipatory bail, revocation of bail, death penalty relief, habeas corpus, eviction or dispossession relief, demolition protection, or any urgent interim order will be listed without mention.

In order to obtain early listing, the change eliminates the need for advocates to compete for mentioning spots.

In all bail cases, the automatic listing system is complemented by mandatory advance service requirements. When a bail petition is registered, the advocate-on-record is required to file proof of service in the Registry after serving an advance copy on the Nodal Officer or Standing Counsel of the relevant State, Union Territory, or Union of India.

The petition won't be listed or validated without proof of service. The administrative directive emphasized government counsel's duty to guarantee appropriate representation during listing.

The Court has established a systematic process for requesting early listing in categories that are not covered by the automatic listing mechanism. The mentioning officer will check the case status and bring the matter before the Registrar (Judicial Listing) for instructions from the Chief Justice of India after receiving a mentioning proforma and a thorough urgency letter by 3:00 p.m. on the previous working day, or by 11:30 am on Saturdays.

If the expedited timetable is insufficient, exceptionally urgent cases—such as those involving anticipatory bail, the death penalty, habeas corpus, eviction, dispossession, or demolition—may be submitted before 10:30 am as long as the urgency letter explains why the case cannot wait.

The circular also makes it clear that the Court may only discuss issues orally if they are on the mentioning list that was released the day before.

Additionally, the Court has redesigned its adjournment process. It now requires the other party's consent and restricts adjournments to legitimate situations.

Only until 11:00 a.m. on the preceding working day may letters requesting adjournment in new and after-notice issues be distributed, and only with prior approval from the opposing counsel or caveator. The request for an adjournment must be made clear in the letter, along with the number of previous adjournments that have been granted.

According to the circular, adjournments will only be taken into consideration in situations involving bereavement, the advocate's or party's health issues, or other truly unavoidable circumstances that the court deems acceptable.

It also mandates that all requests for adjournments be sent to adjournment.letter@sci.nic.in by email in the manner specified, standardizing a procedure that previously differed greatly amongst benches.

When combined, the four circulars represent a significant change in Chief Justice Surya Kant's administration.

The new approach guarantees a consistent listing of cases pertaining to liberty, minimizes oral mentioning, restricts adjournments, and requires communication with government counsel in bail matters.