

1hb. Mac, 1974.

REGISTRAR'S CIRCULAR NO. 1 OF 1974

SHORT CAUSE LIST

Towards a more expeditious disposal of civil cases, the Honourable the Chief Justice has directed that all Registrars should maintain a Short Cause List if such a list has not been maintained in your Court.

2. The relevant Rules under Order 36 of our Rules of the Supreme Court 1957 on Short Cause List are:

"1A. Any cause or matter appearing likely not to require a hearing more than 1½ hours long may on the application of a party or at the instance of the Registrar be entered in the Short Cause List, and any cause or matter so entered may for sufficient reasons be removed therefrom."

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11A. Where any cause or matter has been assigned to the Short Cause List, the plaintiff shall set it down for trial within fourteen days thereafter. If the Plaintiff does not set the cause or matter down for trial within such period the defendant may himself set it down for trial, or may apply to the Court or Judge to dismiss the action for want of prosecution; and on the hearing of the application the Court or Judge may order the action to be dismissed accordingly or may make such other order and on such terms as to the Court or Judge may seem just."

The following procedure is to be followed:

A) CIVIL SUITS WHERE PLEADINGS HAVE CLOSED:

After pleadings have closed, an Advocate and Solicitor for any party may by letter apply to the Registrar for the suit to be entered in the Short Cause List under O. 36 r. 1A. Suits may also be entered in this List at the instance of the Registrar either after going through the files or where an unrepresented party applies by letter to him in person for his suit to be so entered. Applications for removal from the Short Cause List may be heard by the Registrar.

After a suit has been definitely assigned to the Short Cause List the procedure under Order 36 Rule 11A applies. Setting the suit "down for trial" will be by filing with the Registrar the usual Entry of Trial and Notice of Trial at the same time. After Notice of Trial has been entered all cases in the Short Cause List shall be called up on Fixing Day. See Order 36 Rule 17 which reads:

"17. Notice of trial at any place at which a Judge is ordinarily stationed shall not be or operate as for any particular sittings; but shall be deemed to be for mention only on the next ensuing fixing day after the expiration of the notice and thereafter for any day on which the trial may be fixed."

B) CIVIL SUITS AT PRESENT ON THE FIXING LIST:


Advocates and Solicitors as well as unrepresented parties may apply for any of their cases to be transferred from the Fixing List to the Short Cause List. As suits on the Fixing List have already been set down for trial no new Notice of Trial and Entry of Trial are necessary.

C) OTHER CAUSES OR MATTERS:

Counsel may also apply to the Registrar for any other cause or matter fit for entry into the Short Cause List to be entered in that list.

3. The Honourable the Chief Justice has directed that on Fixing Day dates of hearing must be given to cases on the Short Cause List in priority to those on the Fixing List.

4. It is expected that with the maintenance of the Short Cause List of civil suits, causes and other matters the hearing of which should not normally last beyond the lunch interval such civil cases will now have a chance of jumping the queue and can be disposed of much earlier than at present.


(E. E. SIM)
KETUA PENDAFTAR.