



The
PESHAWAR HIGH COURT
Peshawar

All communications should be addressed to the Registrar Peshawar High Court, Peshawar and not to any official by name.

Exch: 9210149-58
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www.peshawarhighcourt.gov.pk
info@peshawarhighcourt.gov.pk
phcpsh@gmail.com

No. _____/PHC/SDJ/HRW/ADMIN

Dated Pesh the ___/___/2020

To,

All the District & Sessions Judges,
Khyber Pakhtunkhwa.

Subject: INSTRUCTIONS REGARDING CASUAL LEAVE BY THE JUDICIAL OFFICERS

Dear Sir/Madam,

I am directed to enclose herewith instructions of this Court on the subject cited above for compliance, please.

Sincerely Yours,

**ADDITIONAL REGISTRAR (ADMN)
FOR REGISTRAR**

Endst No. 20173 /SDJ/PHC/HRW/ADMN

Dated Pesh the 19/11/2020

Copy to Director (I.T) Peshawar High Court, Peshawar for uploading on website.

**ADDITIONAL REGISTRAR (ADMN)
FOR REGISTRAR**

Silvia
19.11.2020



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No. 20139-72 /PHC/SDJ/HRW/ADMIN

Dated Pesh the 19/11/2020

To,

All the District & Sessions Judges,
Khyber Pakhtunkhwa.

Subject: INSTRUCTIONS REGARDING CASUAL LEAVE BY THE JUDICIAL OFFICERS

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I am directed to enclose herewith instructions of this Court on the subject cited above for compliance, please.

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ADDITIONAL REGISTRAR (ADMN)
FOR REGISTRAR

Dated Pesh the 19/11/2020

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ADDITIONAL REGISTRAR (ADMN)
FOR REGISTRAR

II-District Judiciary 1-Judicial Officers Terms and Conditions of Service

- ii. Their judgments are not in arrears.
- iii. They report the actual period of absence, specifying the dates, to the Registrar, Peshawar High Court, Peshawar.
- iv. they certify that the holidays are not spent outside their home districts in the N.W.F.P.

18). No Civil Judge may leave his headquarter during the casual leave or holidays except with the permission of the sanctioning authority.

19). It is the primary duty of the Clerk of Court of the Sessions Courts to see that the casual leave applications of the Judicial Officers are quite in accordance with the rules and if not they may be got corrected accordingly and then forwarded to the High Court for necessary action. otherwise they will be held responsible for their negligence and will be exposed to disciplinary action.

(With covering letter PHC letter No. 1764-181 dated 18-4-1974)

C.No. 5(2-1)

INSTRUCTIONS REGARDING CASUAL LEAVE BY THE JUDICIAL OFFICERS

I am directed to refer to the subject noted and to say that the Competent Authority has taken serious view of the escalating trend of casual leave in anticipation of sanction by the Judicial Officers and the practice of clubbing casual leave with holidays.

While reviewing instructions on the subject circulated vide this Court's letter No. 1764-181 dated 18th April, 1974, in order to check the availing of casual leave in anticipation of sanction and to streamline the matters connected thereto, the Competent Authority has been pleased to direct that: -

1. Henceforth no Judicial Officer shall leave the station **prior to sanction** of leave sought for, except in acute emergencies, to be verified by the District & Sessions Judge concerned.
2. The purpose of casual leave, short leave or permission to leave the station shall **clearly and specifically** be mentioned in the relevant space of the leave form, mentioned hereinafter.

3. Before proceeding on casual leave, Judicial Officers must ensure the compliance of **Rule 4 Chapter I-K Vol-I** of the High Court Rules & Orders, which is reproduced hereunder: -

“On the occurrence of an unexpected holiday or the unexpected absence of an Officer, the Presiding Officer, before his departure or before finishing the work on the day preceding the holiday, should himself fix fresh dates of hearing in his Peshi Register for the cases fixed for the day in question. The Register should then be made over to the Reader of the Court, or in the case of holiday to a selected Reader, who should be made responsible for informing all parties and witnesses of the adjournments given on their coming to attend the closed Court or Courts.

Whenever the Presiding Officer has obtained leave in advance, he should, as soon as possible, fix fresh dates in the cases fixed for the date for which he has obtained leave, and should issue notices to parties, their counsel and witnesses on the dates fixed”.

4. Proceeding of several Judicial Officers on casual leave at a time from a station shall be discouraged.
5. Applications from Senior Civil Judges and Civil Judges-cum-Judicial Magistrates for leave upto 4 days shall be submitted on the enclosed Form 'A', to the District Judge who shall send it through Fax to this Court the same day, after endorsing his orders thereon.
6. The casual leave applications in respect of District & Sessions Judges and Additional District & Sessions shall be submitted on the enclosed Form 'B' through fax, which shall be faxed back to the concerned District the same day after obtaining the orders of the Leave Sanctioning Authority thereon.
7. In cases, where the leave sought for by Senior Civil Judges and Civil Judges exceeds 4 days, such applications shall be submitted on enclosed Form 'C' and shall be processed by the District & Sessions Judge as per procedure provided for Form 'B'.

II-District Judiciary 1-Judicial Officers Terms and Conditions of Service

8. The District & Sessions Judge concerned shall maintain proper casual leave account of each Officer, to be indicated on each form, submitted for the purpose.
9. The aforementioned forms shall also be used for short leave and permission to leave the station, with the same procedure.
10. Short leave shall not be for more than two hours in any case.
11. Forms are also available at
www.peshawarhighcourt.gov.pk/district_judiciary.html.