

PESHAWAR HIGH COURT, PESHAWAR

NOTIFICATION

Dated Peshawar the 07th September, 2021

No. 242-J The Competent Authority has been pleased to establish "Implementation Branch" in Peshawar High Court, Peshawar under the Additional Registrar (Judicial), with immediate effect.

The Implementation Branch shall operate on the following Standard Operating Procedure (SOP):

Objectives: - To expedite contempt related matters, Reduce burden of the court, manage such proceedings to ensure compliance of the court orders & to save precious time of the Court.

1. Where upon a hearing, the Court issues a notice to the alleged contemnor, it shall refer the matter to the branch for follow up and further proceedings ensuring enforcement of the Court order.
2. The branch upon receipt of the matter shall proceed to issue the process on **Proforma-A**.
3. The branch shall ensure that the process has been addressed to the right person/alleged contemnor. In this regard the petitioner may also be required to furnish correct particulars.
4. The branch may coordinate with the focal person(s), if any, or any appropriate person or authority concerned for implementation of the process and/or the court order.
5. The process shall be served through Process Server Agency of District Courts, Police or other person or authority deemed appropriate as per nature & circumstances of the matter.
6. The branch shall also simultaneously adopt all alternate modes of service, recognized by the law.
7. Upon compliance of the orders the branch shall place a report to that effect before the Court concerned for further orders.
8. However, in case of non-compliance in two months from the date of receipt of matter by the branch despite all efforts, the branch shall submit its report before the Court on **Proforma-B**.
9. The branch shall communicate gist of the Court order to the alleged contemnor or the person concerned as the case may be along with the process ensuring that it cannot be avoided on any pretext including plea of referral to the wrong section/wing of the department concerned etc.
10. It shall be duty of the branch to seek service/execution report from the serving agency concerned well before the stipulated date.



11. Every process to be issued may indicate consequences to deliberate & breach of obligation to comply with the orders of the Court, coercive measures & initiation of criminal action entailing corporal sentence etc by the court.
12. The branch shall keep complete record of its proceedings.
13. The branch may seek guidance from the court concerned as and when required in any matter.

FOR ENSURING TIMELY SUBMISSION OF COMMENTS SOUGHT BY THE HONOURABLE COURT FROM RESPONDENT(S):

1. After seeking comments by the Honourable Court, the branch shall issue a letter and coordinate with the concerned respondent(s) and ensure communication of the court order to the concerned respondent(s) well in time.
2. If the comments are not filed within the time directed by the court, the branch shall issue not more than three reminders to the respondent(s) for filing of the requisite comments and in case of failure, the matter will be placed before the court along with detailed report for further order.

By order of Hon'ble the Chief Justice


(KHAWAJA WAJIH-UD-DIN)
REGISTRAR
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Endst: No. 12364-420 / Admn:

Dated Pesh the 08/09/2021

Copy forwarded to: -

1. The Advocate General, Khyber Pakhtunkhwa, Peshawar.
2. The Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar.
3. All the Principal Officers in Peshawar High Court, Peshawar.
4. The Additional Registrar (Judl), Peshawar High Court, Peshawar.
5. The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
6. The Additional Attorney General for Pakistan at Peshawar.
7. All the Secretaries of the Provincial Departments of the Khyber Pakhtunkhwa with further request to send copies to their respective attached departments.
8. The Deputy Registrar (Judl), Peshawar High Court, Peshawar.
9. The President, Peshawar High Court Bar Association, Peshawar.
10. The SCS to Hon'ble Chief Justice, Peshawar High Court, Peshawar.
11. All the Court/Private Secretaries of this Court for placing the same before the Hon'ble Judges for their kind information.
12. All the Incharge/Head of Branches in Peshawar High Court, Peshawar.
13. The Director (IT), Peshawar High Court, Peshawar.
14. The Website/Notice Board.


(KHAWAJA WAJIH-UD-DIN)
REGISTRAR
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