

1915-46

MINUTES OF THE MONTHLY MEETING OF JUDICIAL OFFICERS

The subject meeting was held on 12.03.2024 at 11:30 AM in the office of the worthy District & Sessions Judge, Mansehra, presided over by Mr. Zia-ur-Rehman, D&SJ, Mansehra. The following also attended:

S#	Name	Designation	Remarks
1.	Mr. Nisar Muhammad Khan	Additional District & Sessions Judge-I.	
2.	Ms. Kiran Naz	Additional District & Sessions Judge-II.	
3.	Mr. Yasir Shabbir Shah	Additional District & Sessions Judge-III	
4.	Mr. Wajid Ali Khan	Additional District & Sessions Judge-IV.	
5.	Mr. Naveed ur Rehman	Additional District & Sessions Judge-VI	
6.	Mr. Muhammad Zaib Khan	Additional District & Sessions Judge-Balakot	
7.	Mr. Aftab Javed	Senior Civil Judge (Admin)	
8.	Mr. Saleem ur Rehman	Senior Civil Judge (Family Court)	
9.	Mr. Sheraz Khan	Senior Civil Judge (Judicial)	
10.	Mr. Sajid Amin	Judicial Magistrate-I, Mansehra	
11.	Mr. Muhammad Shoaib	Judicial Magistrate-II, Mansehra.	
12.	Ms. Shahana	Civil Judge-JFC-I	
13.	Ms. Hamna Rehman	Civil Judge-JFC-II	
14.	Mr. Haider Ali Khan	Civil Judge-IV	
15.	Mr. Sadiq Ullah	Civil Judge-V	
16.	Mr. Muhammad Kashif	Civil Judge-VI	
17.	Mr. Umer Farooq	Civil Judge-VIII	
18.	Ms. Ramla Sehrish Rehman	Civil Judge-IX	
19.	Mr. Aziz Ullah	Civil Judge-X	
20.	Mr. Waqar Saeed	Civil Judge-XI	
21.	Mr. Akhtar Iqbal Khan	Civil Judge/Judicial Magistrate-II, Balakot.	

Ms. Ayesha Jadoon, CJ-III was on casual leave whereas Mr. Zulfiqar Ahmed Khan, CJ-Balakot was at Tehsil Balakot to handle court work who was granted exemption. Presiding Officers of the courts of Civil Judge-I, II and VII had

relinquished charge due to transfer whereas the newly posted Judicial Officers have not assumed charge as yet.

Meeting commenced with the recitation from the Holy Qur'an. The Chair welcomed all the participants.

Details of the meeting as per agenda and in terms of decisions and responsibilities are described in the table below:

S. #	Agenda	Situation/Decision										
	Review of previous meeting.	Minutes of previous meeting were reviewed thoroughly.										
1	Performance Evaluation: Overview of pending Target cases as NJPIC, performance focusing on family, old, backlog cases, disposal against fresh institution and Stagnant Cases.	<p>Discussion: Overall performance of institution and disposal of the cases as per directions issued by Hon'ble the Peshawar High Court Peshawar was thoroughly discussed.</p> <p>The participants were informed that only one case/execution petition is pending in the category of cases instituted before 31.12.2010 details whereof are as follow:</p> <table><tr><th>Case/ Court</th><th>Title</th><th>Category</th><th>Year</th><th>Status</th></tr><tr><td>3/10 Civil Judge-I</td><td>Syed Akhtar Hussain Shah Vs Syed Mudassir Shah</td><td>Civil-015- excution petitions</td><td>2008</td><td>Pending</td></tr></table> <p>Performance with respect to disposal and pendency of Old cases, instituted before 01.09.2020 was discussed.</p> <p>Statistics at Sessions Level are as follows: Pendency: 196 Transfer In: 0 Disposal: 05 Balance: 191</p> <p>Statistics at Lower Courts were: Pendency: 1341 Disposal: 76 Balance: 1265</p> <p>Decision: The chair directed that all the judicial officers should conduct proceedings in the target cases on fast track basis as per directions issued in the monthly meeting held on 12.02.2024.</p> <p>Responsibility:</p> <p>All the Judicial Officers Timeline: by 30th April 2024 by Session Courts. 31st December 2024 by Lower Courts.</p>	Case/ Court	Title	Category	Year	Status	3/10 Civil Judge-I	Syed Akhtar Hussain Shah Vs Syed Mudassir Shah	Civil-015- excution petitions	2008	Pending
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2	Family Target/Backlog Cases	<p>Discussion: The disposal and pendency of the family target/backlog cases (two years and more old) as well as new target set for cases for the year 2021 was discussed in detail in view of the reports submitted by the concerned family courts. As per report only 3 cases out of earlier</p>										

		<p>target are still pending before the court of JFC/CJ-IV, Mansehra whereas all the remaining cases have been decided.</p> <p>The statistical court wise data of disposal and pendency is as below:</p> <table><tr><th>S#</th><th>Name of court</th><th>Pending family backlog cases on 31st January 2024</th><th>Cases disposed of by 29th February , 2024</th><th>Pending family backlog cases</th></tr><tr><td>1</td><td>SCJ (FC)</td><td>0</td><td>0</td><td>-</td></tr><tr><td>2</td><td>JFC-I</td><td>2</td><td>2</td><td>-</td></tr><tr><td>3</td><td>JFC-II</td><td>0</td><td>0</td><td>-</td></tr><tr><td>4</td><td>JFC/CJ-II</td><td>2</td><td>2</td><td>-</td></tr><tr><td>5</td><td>JFC/CJ-IV</td><td>4</td><td>1</td><td>3</td></tr><tr><td>6</td><td>JFC/CJ-V</td><td>1</td><td>1</td><td>-</td></tr><tr><td>7</td><td>JFC/CJ-VI</td><td>1</td><td>1</td><td>-</td></tr><tr><td></td><td>Total</td><td>10</td><td>7</td><td>3</td></tr></table> <p>Decision: The chair directed all the presiding officers of Family Courts to ensure that the target set for disposal of cases in the previous meeting is achieved by 30th June 2024.</p> <p>Responsibility: Judge Family Courts</p> <p>Timeline: 30th June 2024.</p>	S#	Name of court	Pending family backlog cases on 31 st January 2024	Cases disposed of by 29 th February , 2024	Pending family backlog cases	1	SCJ (FC)	0	0	-	2	JFC-I	2	2	-	3	JFC-II	0	0	-	4	JFC/CJ-II	2	2	-	5	JFC/CJ-IV	4	1	3	6	JFC/CJ-V	1	1	-	7	JFC/CJ-VI	1	1	-		Total	10	7	3
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6	JFC/CJ-V	1	1	-																																											
7	JFC/CJ-VI	1	1	-																																											
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3	110% Disposal Against fresh Institution	<p>Discussion: The chair directed the participants to ensure 110% disposal as per recent directions issued by Hon’ble the Peshawar High Court Peshawar in the letter/order no.643-77/SDJ dated 28.02.2024.</p> <p>Performance with regard to 110% disposal against institution was discussed.</p> <p>Statistics at Sessions Level: Total institution: 460 Total disposal: 482 (overall target achieved is 105%)</p> <p>Statistics at Lower Courts: Total institution: 1237 Total disposal: 1453 (overall target achieved is 117%)</p> <p>District’s performance: A total number of 1697 cases were instituted during the month of February 2024 out of which 1935 cases were decided and thus, the performance ratio was 114%. The leftover balance of pending cases by the end of February 2024 is 15,370.</p> <p>Decision: The chair appreciated performance of the judicial officers and expressed hope that the same momentum would be maintained.</p> <p>Responsibility: All Judicial Officers.</p>																																													
4	Disposal of UTPs, Juvenile, GBV, CPA & Sexual offence cases.	<p>Discussion: The overall pendency of UTPs, juvenile & GBV cases was discussed. Disposal with regard to overall cases in such categories was found satisfactory. Relevant statistics are recorded below.</p>																																													

		<p>Statistics:</p> <p>UTP Cases:</p> <p>Pendency: 188</p> <p>Institution: 3</p> <p>Disposal: 21</p> <p>Balance: 169</p> <p>GBV:</p> <p>Pendency: 267</p> <p>Institution: 7</p> <p>Disposal: 14</p> <p>Balance: 260</p> <p>JJSA, 2018:</p> <p>Pendency: 52</p> <p>Institution: 2</p> <p>Disposal: 5</p> <p>Balance: 49</p> <p>CPA:</p> <p>Pendency: 52</p> <p>Institution: 7</p> <p>Disposal: 2</p> <p>Balance: 57</p> <p>Decision: The Chair directed all the Judicial Officers to focus on the cases pending before the respective courts in these categories as these cases pertain to those who are either behind bars or belong to weaker segment of the society. Moreover, the chair also stressed that all the directions issued in respect of cases in these categories including the timeline for their disposal may be strictly observed.</p> <p>Responsibility: Judicial officers concerned.</p>
5	Directive of Peshawar High Court Peshawar	<p>i) Injunctions:</p> <p>Discussion: Mr. Naveed ur Rehman, Learned ADJ-VI, as chairperson, Performance Monitoring Committee, informed the participants that as per the data collected on 07.03.2024, a balance of 695 stay petitions of such nature are pending whereas 684 applications out of the total 1108 applications have been disposed off. He also informed the house that year-wise data would be presented in the next meeting.</p> <p>Directions: The chair once again directed all the participants to fix these cases on short dates. It was also directed that each case/petition should be individually evaluated to determine the number of respondents as well as their attendance from whom the petitioners in such petitions seek ad-interim relief and that the courts should specifically focus on procuring attendance of the respondents in such cases. Moreover, all the petitions in which interim relief has been given should be expedited.</p> <p>Responsibility: Judicial Officers concerned.</p>

ii) Attendance:

Mr. Naveed ur Rehman, learned ADJ-VI, Mansehra presented his research paper on the difficulties faced in procuring the attendance of defendants in civil cases both at trial and appellate level and suggested various proposals to overcome the problems.

Directions:

The chair directed all the Judicial Officers to submit their respective feedback regarding the presentation to Mr. Sheeraz Khan, learned SCJ (Judicial) within two days for submission of a consolidated report to Mr. Naveed ur Rehman learned ADJ-VI.

Furthermore, all the courts were directed to install the App already launched for the process serving agency and regularly monitor the service through e-Processing.

iii) Legal Defects in recording of Judicial Confessions:

As per directions of Hon'ble, the Peshawar High Court, Peshawar in letter no.21-P/AR(L)/PHC/26 dated 26.02.2024, Mr. Saleem ur Rehman Khan presented his research work on the common mistakes made during the course of recording confessional statements of accused in criminal cases which was followed by discussion. The chair directed to submit a copy of the research paper alongwith covering letter in compliance with the directions so that the same may be forwarded to the High Court.

The house appreciated efforts of both the learned Judicial Officers.

iv) Earned Leave:

The chair directed all the participants to positively follow the instructions regarding submission of applications for earned leave/NOC for travelling abroad as per directions contained in letter no.1495/SDJ/HRW/ADMIN dated 05.03.2024 by submitting application of such nature at the earliest (atleast 15 days prior to availing leaves) and avoid the practice of leaving station without relinquishing charge and approval of such applications. Furthermore, the proposed dates be also mentioned in the suit application.

v) Fair and Impartial Adjudication of the cases:

The instructions in this respect received vide letter no.1496 SDJ/HRW/ADMIN dated 05.03.2024 were read out in the meeting. All the participants repeated their resolve to abide by instructions issued by Hon'ble, the Peshawar High Court, Peshawar.

vi) Provincial Criminal Justice Committee Meeting Press Release:

The press release was discussed and a committee consisting of Mr. Sheeraz Khan learned SCJ (Judicial) and Muhammad Shoaib, learned JM-II, was constituted

		with direction to submit their feasibility report regarding the establishment of Maal Khana at the earliest which would be finalized in the light of minutes of the meeting which as awaited.
6	Administrative measures	<p>Discussion & Direction:</p> <p><u>i) Rotation of Family Courts:</u> The Chair directed to put this issue on the agenda for the next monthly meeting as the newly posted Judicial Officers have not assumed charge till date.</p> <p><u>ii) Residential Accommodation Issues:</u> Mr. Aftab Javed, learned SCJ (Admin) informed the chair that meeting of the Allotment Committee has been held and that minutes/recommendations would be submitted within the next two days.</p> <p><u>iii) Female Common Room:</u> The house was informed that the room adjacent to the court of learned Senior Civil Judge (Family) has been designated as female common room where female staff can offer prayer.</p> <p><u>iv) Female Facilitation Construction Project:</u> The house was informed that construction on the said project is underway and a timeline of six months has been fixed for its conclusion.</p> <p><u>v) Progress and Status of CFMIS; Review of Ongoing Judicial Record:</u> The chair directed all the Judicial Officers to regularly check progress of scanned files pending before their courts both on daily basis as well as at the time of consignment such files to the record room.</p>
7	Research Assignments	<p>Discussion: The respective groups were directed to conclude their research and be ready to present their PowerPoint presentation on 14.03.2024 at 8:30 AM on the following topics.</p> <p>1) The Bangalore Principles of Judicial conduct 2022 Committee: Miss Kiran Naz (ASJ-II), Ms Ayesha Jadoon, Civil Judge-III</p> <p>2) The Universal Charter of the Judges 1999. Conduct Rules 1997 & Code of Conduct of the Judges in Pakistan Committee: Mr. Nisar Muhammad Khan (ASJ-I) Mr. Haider Ali Khan, (CJ-IV)</p> <p>3) IFC and ICC Committee: Mr. Muhammad Kashif, (CJ-VI), Mr. Waqar Saeed (CJ-XI)</p>
8	Attendance of Court Staff	The chair directed all the participants to ensure the presence of their staff members on their seats during court hours and to have a check on the Muharir attached to their

		courts as complaints have been received regarding their absence during court hours.
9	Record Management Committee	The committee was directed to submit their report regarding destruction of cases within a fortnight.
10	Magistrate On Duty	The chair directed all the Civil Judges to remain in court during court hours while discharging duties as MOD on holidays.

The meeting ended with vote of thanks to and from the Chair.

Drafted By

Muhammad Kashif
Civil Judge-VI
Mansehra.

Approved By

Zia Ur Rehman
District & Sessions Judge,
Mansehra.

No. 1915-46, Dated: 16 / 03 /2024.

Copy forwarded to:-

1. The Registrar, Peshawar High Court, Peshawar.
2. The M.I.T, Peshawar High Court, Peshawar.
3. The Director Inspection, Secretariat of the District Judiciary, Peshawar High Court, Peshawar.
4. All the Judicial Officers, District Mansehra for compliance.
5. Office Copy.

Zia ur Rehman
District & Sessions Judge,
Mansehra.