

C I R C U L A R

No. 06/P.I./2017

Dated 28.03.2017

Categorical directions have been issued by Hon'ble Apex Court in *Sunder Bhai Ambalal Desai Vs State of Gujarat* (AIR 2003 SC 638) for disposal of Malkhana Articles of all types and at all stages. Administrative instructions have also been issued for regular and timely disposal of Malkhana Articles but it has been observed that these judicial and administrative directions are not regularly followed.

As a result thereof, huge quantity of Malkhana articles are pending disposal due to which Malkhana Rooms of most of the Courts are haphazardly packed. For non availability of space in Malkhana Rooms of Courts, Malkhana Articles including valuables are kept in open and unsafe premises of Police Stations. This situation diminishes the value of Malkhana Articles which results in not only individual but national loss as well. Often, Malkhana Articles are not produced during trial due to this unmanaged and haphazard conditions which sometimes adversely affects the trial.

It is therefore, enjoined upon all the Presiding Offices that they will strictly and regularly undertake the exercise of disposal of Malkhana Articles deposited in Courts and Police Stations in accordance with judicial and administrative directions so as to ensure that there remains not a single disposable Malkhana Article.

All the District & Sessions Judges will monitor the progress of Malkhana disposal in every bi-monthly meeting to ensure regular disposal of Malkhana Articles in their judgeship and that in no case, disposal of Malkhana article remains pending without any cogent reason. The factual details of progress of Malkhana disposal be mentioned in the minutes of bi-monthly meetings.

BY ORDER


REGISTRAR GENERAL

No. Gen./XV/43/2017/3399

Date: 28/3/2017

Copy forwarded to all the District & Sessions Judges with the request to circulate the same amongst all the subordinate Courts in their judgeships for information and compliance.


REGISTRAR GENERAL