

Uday S. Jagtap

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**FIRST APPEAL NO. 893 OF 2018
A/W
CIVIL APPLICATION NO. 2847 OF 2018
IN
FIRST APPEAL NO. 893 OF 2018**

Kondiba Shankar Nikam (Deceased
through LRs) .. Appellant

Vs.

Balasaheb Kisan Bhosale & Ors. .. Respondents

.....

Mr. Nikhil Wadikar i/b Mr. Nandu Pawar for the appellant
Mr. Vaibhav Gaikwad for respondent no.1.
Mr. Kiran Patil for respondent nos. 6B, 6C, 7A to 7D

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 22nd FEBRUARY, 2021

P.C.

1. Learned counsel for the appellant has removed the mask despite guidelines.
2. The Standard Operating Procedure (SOP) for resumption of physical hearing at the Principal Seat, High Court of Bombay w.e.f. 11th January, 2021 contemplates :-

“(1) to (11)

12. To observe strict norms of social distancing entry into the Court Room for the purpose of attending physical hearings shall stand restricted to :

i) One Advocate per party whose Vakalatnama is on record or who has been duly authorized and whose

case is listed for hearing on Board of concerned Court.

ii) Senior Counsel / ongoing counsel engaged by any such Advocate.

iii) Registered clerk only for limited purpose of delivering heavy and bulky case files of such Advocates at the designated point.

iv) Party-in-person, where such party is pursuing the case without any legal assistance.

v) Entry in the Court Room shall be permitted to those Advocates / Party-in-person whose matter is called out for hearing and also for the Advocates whose matter is immediate next subject to availability of space.

vi) Rest of the Advocates may wait outside the Court Room / Bar Room, while maintaining social distancing norms.

vii) The Display Boards shall be functional for their information and convenience.

viii) Strict adherence to social distancing norms inside the Court room shall be followed by all concerned.

13.

14. *The following mandatory norms to be followed by all the concerned who are permitted to enter the Court premises / Court Room :*

i) Wearing of mask at all times, even during arguments in Courts.

ii) The lawyers appearing in the Court would be required to appear in the usual Court attire.

iii) Adherence to all the directions / guidelines / SOPs / Advisories issued by the Government of India and the State Government in respect of COVID-19 protocol.

GENERAL INSTRUCTIONS

(A) Entry and Exit Points :

(a)

(b)

(c)

(d) Every person entering the Court premises shall mandatorily wear face mask at all the time and follow the recent SOP issued by MOH/State Government, staff of the

court shall use sanitiser and mask as indicated in the health advisories already issued by the MOH/State Government. The social distancing shall be the rule for all movements in the Court Premises including at the entry points.

(B) PHYSICAL FILING :-

(a)

(b)

(c)

(d)

(e)

(f)

(g) The following mandatory norms to be followed at the time of filing by all the concerned :

i) Wearing of mask all the times.

ii) Maintain Social Distance all the times.

iii) Adherence to all the directions / guidelines / SOPs / Advisories issued by the Government of India and the State Government in respect of COVID-19 Protocol.”

2. The matter be removed from the board.

(PRITHVIRAJ K. CHAVAN, J.)