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Court Matter

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# Cases on lawmakers: SC direction sought for more courts in state

## Amicus curiae suggests video conferencing at each court

NEW DELHI, DHNS

The Supreme Court was, on Monday, told that one special court set up in Bengaluru to decide 165 pending cases against former and sitting MPs and MLAs was not sufficient as witnesses have to travel from far off places, affecting the fair trial.

In a fresh report, amicus curiae, senior advocate Vijay Hansaria and advocate Sneha Kalita, said the

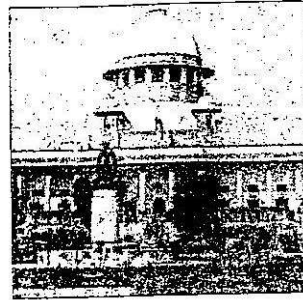
number of cases pending against the lawmakers have increased over the last two years. They sought strict monitoring, at micro level, by the High Courts to ensure expeditious disposal of the cases against the lawmakers.

The amicus curiae submitted that one court each in West Bengal's 24 North Parganas and Uttar Pradesh's Allahabad district was not adequate to dispose of 134 and 300 cases,

respectively.

Hansaria gave a slew of suggestions, including taking steps for establishment of 'safe and secure witness examination room,' video conferencing facility for each court and creating a special website to show status of cases.

He said the total number of cases as per the latest reports have risen to 4,859, whereas, as per earlier reports filed in March, 2020, the cases were 4,442.



Hansaria's report filed in a pending PIL by BJP leader

and advocate Ashwini Kumar Upadhyay said the Karnataka and Calcutta High Courts have insisted for continuing with one special court in the states.

"Instead, it will be more appropriate to assign cases to the respective jurisdictional courts with a mandate to try the cases on priority basis. Other cases may be allotted to such courts only, having regard to the workload," his report stated.

In the case of West Bengal also, he said the High Court

may be requested to establish more special courts having regard to the geographical area of the place of occurrence.

In the case, Kerala, the amicus curiae said the High Court was faced with an unusual problem as it stated that "police personnel are reluctant to arrest and produce the accused legislators".

"It may be directed that the Superintendent of Police of concerned district will be personally responsible for execu-

tion of warrants and service of summons to the legislators and any breach thereof will be treated as contempt of the orders of this court," he suggested.

Similarly, he said, if any legislator despite receipt of summons or warrant does not appear before the court, he or she will be liable for contempt of this court, apart from disciplinary proceedings.

The top court is scheduled to take up the matter on Tuesday.