

# Delay Reasons

One of the main feature of CIS 3.2 is module for entering delay reasons in the case which is delayed reasonably (A case pending over 2 years is considered as delayed reasonably) so that higher authorities like HC and SC can get the statistics regarding the reasons of delay. Based on the result HC and SC may take policy decisions.

CIS NC 3.2 provides a module for entering delay reasons in the case either individually or in bulk as shown in the screen shot below. The 'Delay Management' module is available under 'Court Proceedings'.

Around 15 delay reasons are prepared by Supreme Court. Court user can enter appropriate delay reasons in the case. For every delay reason, some parameters are required to be entered. In Delay Management menu user has three options : Case wise delay, Delay Status and Delay Dashboard.

## Delay Dashboard

This option displays the statistics of pending cases of civil and criminal type. It also displays number of civil and criminal cases which are pending for more than 2 years. In third column it displays number of civil and criminal cases, in which user has marked delay reasons.

The screenshot displays the eCourtIS web application interface. The main content area is titled 'Delay Dashboard' and shows a table with the following data:

Case Type	Total Pending	Pending Over 2 Years	Delay Marked
Civil	1129	659	31
Criminal	310	146	11
Total	1439	805	42

Below the table, there is a sidebar menu on the left with the following items: Home, Balance Court Fee, Framing of Issues/Charge, Linked Cases, Index Register, JA Reports, Hearing Status, View E-filing, View E-Chargesheet, Under Trial Information, Update first Hearing Date, Judges Leave, Incharge or Judge on Leave Proceedings, Update Case Information, Urgent Case, Admin Units, Order for Deposit, Order for Payment, JA Taken On Board, Delay Management (highlighted), Case-wise Delay, Bulk Delay Status, Delay Dashboard, Proceedings reports, Litigant Updates, Appeals Information, Plead Guilty, Mediation, and Adalat. A red arrow points from the 'Delay Management' menu item to a text box that reads: 'A new menu "Delay Management" is available to court user for entering delay reasons in a case either individually or in bulk. Dash board of Delay Reasons is also displayed which shows count of total number of pending cases, cases pending over 2 years and delay reasons marked.'

## Case Wise delay

Using this option, user can enter delays by giving case type, number and year as shown in the screen shot below.

The screenshot shows the 'Casewise Delay' form in the eCourtIS application. The form is titled 'Casewise Delay' and is located under the 'Case Proceedings' menu. It contains the following fields and options:

- \*Case Type:** A dropdown menu with 'MACC-117' selected.
- \*Case No.:** A text input field with '2387' entered.
- \*Year:** A dropdown menu with '2017' selected.
- Go:** A blue button to submit the form.
- Moolchand Patel Vs. Shekh Aarif Alias Aashik:** The case name is displayed below the input fields.
- Delay Reason:** A dropdown menu with '5 - Stayed by High Court' selected.
- 5 - Stayed by High Court:** A sub-section with the following fields:
  - FA-13:** A dropdown menu with '12' selected.
  - 2018:** A text input field with '2018' entered.
  - 11-09-2018:** A date input field with '11-09-2018' entered.
- Submit:** A blue button to save the delay entry.
- Reset:** A blue button to clear the form.

## Delay Status

This option displays the cases based on selected criteria like Civil or Criminal or both, Ready or unready, pending for more than specified years or pending prior to a given cutoff date. Based on the criteria, a given list of cases will be displayed along with details such as party names, registration date, purpose, and already entered delay reasons. User can click on 'Enter Delay reasons' to enter delay reasons for the selected case.

The screenshot shows the 'Delay Status' table in the eCourtIS application. The table is titled 'Delay Status' and is located under the 'Case Proceedings' menu. It contains the following fields and options:

- Delay Status:** Radio buttons for 'Civil', 'Criminal', 'Both', 'Active/Ready', 'Inactive/Unready', and 'All'. The 'All' option is selected.
- More Than:** A text input field with '2' entered.
- Year OR Cut off Date:** A date input field with '11-09-2018' entered.
- View:** A blue button to view the cases.
- Show:** A dropdown menu with '10' selected.
- entries:** A text label indicating the number of entries displayed.
- Table:** A table with 7 columns: Sr. No., Cases, Party Name, Date of Registration, Next Purpose, Delay Reason, and Enter Delay Reason. The table contains 7 rows of data.

Sr. No.	Cases	Party Name	Date of Registration	Next Purpose	Delay Reason	Enter Delay Reason
1	EX MJC/100044/2000	JANDR BAHADUR Vs AASHOK KUMAR AAHOOUA	21-06-2000 19 years 7 months 7 days	Kurki (Attachment) Warrant / possession Report 19-02-2018	1): Awaiting for documents 2): Obstructions in service of process in execution of decree	Enter Delay Reason
2	MJC/100203/2006	AABHISHEK TIVAREE Vs VASUDEV CHAUHAN	08-05-2006 13 years 8 months 20 days	Proceedings Stayed 13-10-2011		Enter Delay Reason
3	EX MJC/100017/2006	SHREEMATI RAMAKALEE Vs VANSOO	06-10-2006 13 years 3 months 22 days	Proceedings Stayed 13-01-2014	1): Stayed by High Court	Enter Delay Reason
4	EX MJC/100003/2007	KHIMIYABAE Vs JAPHAR KHO	03-02-2007 12 years 11 months 25 days	Proceedings Stayed 12-03-2014	1): Stayed by High Court	Enter Delay Reason
5	EX B/100011/2007	PISU ROD TRASANPORT KOPORESHAN Vs MADHY PRADESH	17-05-2007 12 years 8 months 11 days	Proceedings Stayed 25-10-2013	1): Stayed by High Court	Enter Delay Reason
6	RGS A/100004/2009	CHETAN CHHANE Vs DEVARAJ	26-03-2009 10 years 10 months 2 days	Further orders 20-07-2018		Enter Delay Reason
7	EX MJC/100028/2009	DO BRAJ KISHOR YADAV Vs JABALAPUR DABALAPAMEANT EATHORITEE	14-05-2009 10 years 8 months 14 days	Proceedings Stayed 17-08-2015		Enter Delay Reason

One of the important step user has to do is to close the delay. In Delay Status and Case wise delay option user can update already entered delay reason and can also close it. For example, If a given case is stayed by High Court, user has to add this delay reason in the given case. If the stay given by High Court is vacated then user must close that delay by clicking on the close delay checkbox as shown in the screen shot below.

The screenshot shows the eCourtIS interface for the District and Sessions Court, Jabalpur MP. A modal window titled 'Delay Status' is open, showing details for case EX MJC/100003/2007. The modal indicates a previously entered delay with the reason '5 - Stayed by High Court'. It includes a date picker for 'Delay Closed On' set to 28-01-2020. The background shows a table of cases with columns for Sr. No., Case No., Case Name, Duration, and Date.

Sr. No.	Case No.	Case Name	Duration	Date
1	EX B/100011/2007	KOPORESHAN Vs MADHY PRADESH	12 years 8 months 11 days	25-10-2013
2	RCS A/100004/2009	CHETAN CHHANE Vs DEVARAJ	26-03-2009	Further orders 20-07-2018

The delay reasons are as follows:

### 1. Parties not interested – dormant litigation

Information Captured	Result	Civil/ Criminal
<p>Fields: Since Date</p> <p>Date since when parties are not attending the proceedings or have not shown any interest in adjudicating the case will be captured in the field Since Date.</p>	<p>List of all such cases where parties are not interested for unreasonable time and further decide the course of action in such cases.</p>	<p>Applicable to both Civil and Criminal Cases</p>


**Casewise Delay**

\*Case Type:  \*Case No.:  \*Year:

**National Plastic Industry Vs. Maharashtra state Electricity Discom Ltd.**

Delay Reason:

**Parties not interested - Infructuous litigation**

Since Date:  

## 2. One or more accuses absconding/not appearing

Information Captured	Result	Civil/ Criminal
<p>Fields: Accused Name, First Process Issued (Bailable/Non Bailable/Summons), Date of Issue.</p> <p>For every accused in the case if the accused is not appearing or absconding, the Name of Accused, type of first process issued like Bailable/Non Bailable/Summons and Date when first Process was issued is captured in the respective fields.</p>	List of all such cases where accused is absconding since date. Such list can be shared with the Police authorities in electronic form or otherwise.	Applicable to Criminal Cases




**Casewise Delay**

\*Case Type:  \*Case No.:  \*Year:

**State of Maharashtra Vs. Mohammad Mubarak Jayadi**

Delay Reason:

**One or more accused absconding/not appearing**

<input checked="" type="checkbox"/>	Accused	First Process Issued	Date of Issue
<input checked="" type="checkbox"/>	Mohammad Mubarak Jayadi (R)	<input type="text" value="Bailable"/>	<input type="text" value="01-10-2018"/> 
<input checked="" type="checkbox"/>	Ahemad Mohammad Jayadi (ER)	<input type="text" value="Non-Bailable"/>	<input type="text" value="01-10-2018"/> 
<input checked="" type="checkbox"/>	Isma Ahemad Jayadi (ER)	<input type="text" value="Summons"/>	<input type="text" value="01-10-2018"/> 

### 3. Stayed by Supreme Court

Information Captured	Result	Civil/ Criminal
<p>Fields: Case Type/Case Number/Year, Date of Order.</p> <p>If the case is stayed by Supreme Court, facility is available to enter the Supreme Court Case Number in which Stay is granted and also the Date of Order since when the stay is granted is captured.</p>	Hon. Supreme Court can get the list of all such cases in which stay is granted along with date of order so that appropriate action can be taken.	Applicable to both Civil and Criminal Cases

Casewise Delay

\*Case Type: Civil M.A.-3 \*Case No.: 100020 \*Year: 2010 Go

Nazar Khan Fakir Khan Vs. Indusind Bank Ltd. Aurangabad

Previously entered delay (2)

Delay Reason: Stayed by Supreme Court

Stayed by Supreme Court

REVIEW PETITION

477
2015
06-01-2015

Submit
Reset

### 4. Stayed by High Court

Information Captured	Result	Civil/ Criminal
<p>Fields: Case Type/Case Number/Year, Date of Order.</p> <p>If the case is stayed by Supreme Court, facility is available to enter the High Court Case Number in which Stay is granted and also the Date of Order since when the stay is granted is captured.</p>	Hon. High Court can get the list of all such cases in which stay is granted along with date so that appropriate action can be taken.	Applicable to both Civil and Criminal Cases

Casewise Delay

\*Case Type: Civil M.A.-3 ▼

\*Case No.: 100020

\*Year: 2010 Go

**Nazar Khan Fakir Khan Vs. IndusInd Bank Ltd. Aurangabad**

Previously entered delay (2)

Delay Reason: Stayed by High Court ▼

Stayed by High Court

WP-560 ▼

740

2017

11-01-2017

Submit
Reset

## 5. Stayed by Court other than Supreme Court or High Court (District Court/Other Court)

Information Captured	Result	Civil/ Criminal
<p>Fields: District Court or Other Court, If District Court: Case Type/Case Number/Year, Date of Order. If Other Court: Court Name and Case Number and Date of Order.</p> <p>If the case is stayed by District Court or any Other Court, facility is available to enter the District Court Case Number in which Stay is granted and also the Date of Order since when the stay is granted. Facility is also provided to enter the Case Number/ Name of Court (If the Court is not the District Court) and Date of Order since when the stay is granted is captured.</p>	<p>District Court can get the list of all such cases in which stay is granted along with date so that appropriate action can be taken.</p>	<p>Applicable to both Civil and Criminal Cases</p>

**Casewise Delay**

\*Case Type: Civil M.A.-3

\*Case No.: 100020

\*Year: 2010 Go

**Nazar Khan Fakir Khan Vs. IndusInd Bank Ltd. Aurangabad**

**Previously entered delay (2)**

Delay Reason: Stayed by Court other than Supreme Court or H

**Stayed by Court other than Supreme Court or High Court (District Court/Other Court)**

District Court: ☒ Other Court: ☐

Civil Revn.-4

55

2017

11-01-2017

Submit Reset

## 6. Stayed for other reasons

Information Captured	Result	Civil/ Criminal
<p>Fields: Remarks, Date</p> <p>If the matter is stayed for some particular reasons by the court, Remarks and Date since when the matter is stayed is captured.</p>	<p>List of all such cases which are stayed because of some reasons along with date since when matter is stayed.</p>	<p>Applicable to both Civil and Criminal Cases</p>

**Casewise Delay**

\*Case Type: Civil M.A.-3

\*Case No.: 100020

\*Year: 2010 Go

**Nazar Khan Fakir Khan Vs. IndusInd Bank Ltd. Aurangabad**

**Previously entered delay (2)**

Delay Reason: Stayed for other reasons

**Stayed for other reasons**

Remark:

Date:

Submit Reset

## 7. L.R.s or new parties could not be brought on record

Information Captured	Result	Civil/ Criminal
<p>Fields: First Process Issued Date.</p> <p>If the Case is delayed as LR's could not be brought on the record, the Date when First Process was Issued to bring LR's on record is captured.</p>	List of such cases which are delayed because of this reason along with the date can be generated.	Applicable to both Civil and Criminal Cases

Casewise Delay

\*Case Type: R.C.A.-1 \*Case No.: 100133 \*Year: 2014 Go

National Plastic Industry Vs. Maharashtra state Electricity Discom Ltd.

Delay Reason: LRs or new parties could not be brought on record

LRs or new parties could not be brought on record

First Process Issued Date: 02-09-2019

Submit
Reset

## 8. Miscellaneous application delaying the process of the main case

Information Captured	Result	Civil/ Criminal
<p>Fields: Case Type/Case Number/Year, Date of Filing.</p> <p>If the Miscellaneous application filed is causing delay in adjudicating the Main Case, the Miscellaneous Case Number and Filing Date is captured.</p>	List of such cases may be generated which are delayed because of filing of Misc. Case.	Applicable to both Civil and Criminal Cases

Casewise Delay

\*Case Type: Civil M.A.-3 \*Case No.: 100020 \*Year: 2010 Go

Nazar Khan Fakir Khan Vs. IndusInd Bank Ltd. Aurangabad

Previously entered delay (2)

Delay Reason: Miscellaneous application delaying the process

Miscellaneous application delaying the process of the main case

Case Type: Civil Suit-5 Case Number: 10 Case Year: 2017 Filing Date:

Submit
Reset



## 9. Awaiting for documents

Information Captured	Result	Civil/ Criminal
<p>Fields: Document Type (One of the 8 documents is to be selected), Awaited Since.</p> <p>Case may remain pending in the court and often get delayed because compliance of some document is pending. One of the following types of documents can be selected along with the Date since when the document is awaited. (Select any one of the following 8 documents)</p> <p>1-Document 2-Property report 3-Commissioner report 4-FSL report 5-Expert report 6-Verification report 7-Order of sanction 8-Any other similar reason</p>	<p>List of such cases for want of compliance of some document along with the date since when it was not complied.</p>	<p>Applicable to both Civil and Criminal Cases</p>

Casewise Delay

\*Case Type: R.C.A.-1 \*Case No.: 100133 \*Year: 2014 Go

National Plastic Industry Vs. Maharashtra state Electricity Discom Ltd.

Delay Reason: Awaiting for documents

Awaiting for documents

Document type: 1-Document Awaited Since: 15-11-2019

Submit
Reset

## 10. Difficulty in securing presence of important witness.

Information Captured	Result	Civil/ Criminal
<p>Fields: First Process Issued Date.</p> <p>If there is difficulty in securing presence of witness, Date when First Process was issued is captured.</p>	<p>List of such cases which are delayed because of presence of witness can be generated.</p>	<p>Applicable to both Civil and Criminal Cases</p>

**Casewise Delay**

\*Case Type: Civil M.A.-3 ▼

\*Case No.: 100020

\*Year: 2010 Go

**Nazar Khan Fakir Khan Vs. IndusInd Bank Ltd. Aurangabad**

**Previously entered delay (2)**

Delay Reason: Difficulty in securing presence of important withn ▼

**Difficulty in securing presence of important witness**

First Process Issued Date: 10-01-2018

Submit
Reset

## 11. Obstruction in service of process in execution of decree

Information Captured	Result	Civil/ Criminal
Fields: Reason, First Process Issued Date.  If there is difficulty in service of execution decree, Date when First Process was issued is captured along with Reason (for obstruction) can be entered.	List of such cases which are delayed because of process cannot be served for execution of decree.	Applicable to Civil Cases

**Casewise Delay**

\*Case Type: Civil M.A.-3 ▼

\*Case No.: 100020

\*Year: 2010 Go

**Nazar Khan Fakir Khan Vs. IndusInd Bank Ltd. Aurangabad**

**Previously entered delay (2)**

Delay Reason: Obstructions in service of process in execution ▼

**Obstructions in service of process in execution of decree**

Reason: 
 Process Issued Date:

Submit
Reset

## 12. Record not available for the reason

Information Captured	Result	Civil/ Criminal
<p>Fields: Reason (One of the 2 reasons is to be selected), Not available since.</p> <p>It is possible that record of the case is not available. In such eventuality the case cannot progress. One of the two possible reasons can be selected. Date since when the record is not available can be mentioned.</p> <p>Following are the two reasons of which one can be selected.</p> <p>1-Record called for by the higher court or other court</p> <p>2-Record missing or destroyed</p>	List of such cases which are delayed because record of the case is not available.	Applicable to both Civil and Criminal Cases

Casewise Delay

\*Case Type: Civil M.A.-3      \*Case No.: 100020      \*Year: 2010      Go

Nazar Khan Fakir Khan Vs. IndusInd Bank Ltd. Aurangabad

Previously entered delay (2)

Delay Reason: Record not available for the reason

Record not available for the reason

Reason: 1-Record called for by the higher court or other court      Not Available Since: 06-01-2016 📅

Select

1-Record called for by the higher court or other court

2-Record missing or destroyed

## 13. Frequent challenge to interim/interlocutory orders

Information Captured	Result	Civil/ Criminal
<p>Fields: Remarks</p> <p>If several objections are raised filing different applications at different times case may get delayed. Details of such challenges can be entered in Remarks field.</p>	List of such cases which are delayed because of the reason.	Applicable to both Civil and Criminal Cases

**Casewise Delay**

\*Case Type: Civil M.A.-3

\*Case No.: 100020

\*Year: 2010 Go

**Nazar Khan Fakir Khan Vs. IndusInd Bank Ltd. Aurangabad**

**Previously entered delay (2)**

Delay Reason: Frequent challenge to interim/interlocutory orde

**Frequent challenge to interim/interlocutory orders**

Remarks:

Submit
Reset

#### 14. Non availability of Counsel

Information Captured	Result	Civil/ Criminal
Radio Button →Defendant/Respondent/Accused →Prosecutor/Complainant  Fields: Remarks  If Defendant or Respondent Counsel is not available, this reason can be selected and information can be entered in Remarks field.	List of such cases which are delayed because of the reason.	Applicable to both Civil and Criminal Cases

**Casewise Delay**

\*Case Type: Civil M.A.-3

\*Case No.: 100020

\*Year: 2010 Go

**Nazar Khan Fakir Khan Vs. IndusInd Bank Ltd. Aurangabad**

**Previously entered delay (8)**

Delay Reason: Non availability of Counsel

**Non availability of Counsel**

☒ Respondent ☐ Petitioner

Remarks:

Submit
Reset

## 15. Number of witness is more than 20

Information Captured	Result	Civil/ Criminal
Fields: Number of Witness  If witnesses are more than 20 same can be entered for the respective case in Number of Witness field.	List of such cases which are delayed because witnesses are more than 20 along with the count of witness for every case.	Applicable to both Civil and Criminal Cases

**Casewise Delay**

\* Case Type: Civil M.A.-3

\* Case No.: 100020

\* Year: 2010 Go

Nazar Khan Fakir Khan Vs. IndusInd Bank Ltd. Aurangabad

Previously entered delay (2)

Delay Reason: Number of witness is more than 20

Number of witness is more than 20

Number of Witness: 25

Submit Reset