

GJGS040042172024



Cr.M.A. No. 554/2024

ORDER AT EXH.01

1. The present matter was not listed on today's board. However, in view of the repeated communications being sent by the complainant through post, it has become necessary for this Court to pass the present order to place the said correspondence on record and clarify the legal position.
2. It is brought on record that a postal communication addressed to this Court by the complainant was received in the office of the Principal Senior Civil Court, Una, and the same was opened there and thereafter forwarded to this Court vide Outward No. 411/2026 dated 02.03.2026. The said communication was received by this Court after completion of Court hours on 02.03.2026.
3. Upon perusal of the enclosed application, it transpires that the complainant has requested that this Court furnish an immediate reply by post in respect of the applications allegedly sent by her on 23.04.2025 and 12.02.2026, and has sought communication of the Court's response thereto without awaiting the regular course of judicial proceedings.
4. At the outset, it is necessary to clarify that once judicial proceedings are pending before a Court of law, all submissions, prayers, or grievances must be made through proper applications

filed on record and decided in accordance with law after affording opportunity of hearing to the opposite party. The Court does not engage in private correspondence with any party to the proceedings, nor can relief be granted merely on the basis of unilateral communications sent by post.

5. It is further required to be noted that the complainant is duly represented in the present proceedings by a Legal Aid Counsel appointed at State expense. Therefore, she has adequate legal assistance available to move appropriate applications and pursue her remedies in accordance with law before this Court. In such circumstances, resorting to repeated postal communications seeking personal replies from the Court is not warranted.
6. It is a settled principle that judicial orders are passed only upon consideration of pleadings, evidence, and submissions made before the Court in the course of proceedings. The principle of *audi alteram partem*, which is the foundation of fair procedure, mandates that no order affecting rights of parties can be passed without hearing both sides. It is well settled that fairness in action is the essence of due process, and the same applies to judicial proceedings.
7. In view of the above, the said postal communication cannot be treated as a formal application for immediate adjudication nor does it warrant any separate reply by post from this Court. If the complainant desires any order on her pending applications, she is at liberty to pursue the same in accordance with law during the course of hearing. Accordingly, the communication received

through the forwarding letter of the Principal Senior Civil Court, Una, vide Outward No. 411/2026 dated 02.03.2026, is ordered to be taken on record. No further action is warranted on the said communication at this stage.

Office is directed to upload this order on CIS.

Pronounced in open Court on this 03rd day of March, 2026.

Date- 03/03/2026

Place- Una

(Mr. Neeraj Kumar Yadav)
2nd Additional Chief Judicial Magistrate
Una Ta. Una District Gir Somnath
GJ 01409