

THE SUPREME COURT OF SEYCHELLES

PRACTICE DIRECTION NO.5 OF 2009

In order to ensure a smooth flow of cases in the Civil Division I issue the following practice directive.

1. All new civil cases filed in the civil registry (save for constitutional petitions) shall be allocated to a judge soon after filing.
2. All cases pending in the civil division shall be allocated to a judge of the division to ensure that there is no active case that is not assigned to a judge.
3. The judge allocated the case shall be responsible for the progress of the case until the case is retired.
4. All preliminary steps until the completion of filing of pleadings shall be taken before the Master of the Supreme Court.
5. The Master shall require parties to file their written statements of defence within 14 days from the day that the parties appear in the case.
6. The judge allocated a particular case may direct the Master to handle any interlocutory motions or other applications in the matter as the judge will find appropriate.
7. After the close of pleadings in the case the judge or a master, if directed by the judge, may hold a preliminary hearing.
8. The purpose of a preliminary hearing will be for the court to explore with the parties and their attorneys at law the issues in the case and the steps necessary to resolve the case including the possibility of mediation.
9. At the preliminary hearing the court will set a realistic timetable for the hearing of the case, including hearing of any interlocutory or pre trial matters necessary for the progress of the case. Once established the court and the parties will abide by this timetable.
10. The Judge's usher shall maintain a diary for fixtures made by or for the judge in each case and shall carry the same to the court whenever the court is sitting.
11. Once the hearing of the case starts the court and parties should endeavour as much as possible to proceed with the hearing of the case from day to day until completion of hearing.
12. Judges will endeavour to deliver judgment in the case not more than 60 days from the date of close of hearing. Where it is not possible to meet this deadline the judge shall notify the Chief Justice and the reasons for the inability to deliver the judgment.

Signed and dated this 17th day of September 2009

FMS Egonda-Ntende
Chief Justice