

COURT PROCESS EXPLAINER AND CHECKLIST

The civil courts are integral to a democratic system of government because they hold the power to decide and enforce disputes and private rights. Other kinds of disputes, such as property, contracts, money recovery, family matters, succession, injunction and commercial transactions, are normally resolved in the civil justice system. When negotiations, settlement, or other informal dispute-resolution processes have been unsuccessful, many people will end up going to a civil court. The civil justice system is thus a vital instrument in the service of social order and realisation of legal rights and obligations. While civil litigation is a significant part of the legal landscape, many litigants may not have a good understanding of the civil litigation process.

One misconception is that a case is filed and a judgment is issued immediately. In truth, every civil action goes through a number of stages to ensure that it is fair, transparent and respects the important principles of natural justice. The court must give the two parties a chance to present evidence, cross-examine other evidence, call witnesses to testify, and make legal arguments before deciding a case. The civil justice system in India, which is mostly governed by the Code of Civil Procedure, 1908, has a well-defined procedure that starts with the filing of a plaint and proceeds through the registration of a plaint, the service of summons, the exchange of written statements, framing of issues, the presentation of evidence, arguments, and the ultimate adjudication. Courts can also order interim relief to safeguard the rights or interests of parties pending litigation. This paper will examine every phase of a civil lawsuit and discuss the legal implications and practical aspects of civil court procedure.

The civil litigation system in India provides a fair, transparent, and accountable procedure. But sometimes, the framework fails to be effective due to various reasons, such as delays in procedures, administrative mismanagement, and a lack of public awareness of court processes. Higher procedural literacy, better case management and judicial timelines are hypothesised to considerably improve access to justice and the Indian justice system as a whole.

Pre-Litigation Demand Letters and Settlement Rates-

The receipt of a formal demand letter in the pre-litigation phase is correlated positively with out-of-court settlements in civil cases in India, with at least 30% of cases that received a formal demand letter settling out of court compared to those that did not receive one. The theory is based on the idea that a demand letter is a "credible threat" of litigation that lowers the informational rift between the parties. If the plaintiff raises the grievance and states the correct remedy to request, then the defendant should be in a better position to perform a cost-benefit analysis between contesting and settling. This hypothesis is supported by the fact that it can be tested by examining court records in district civil courts and the pre-filing correspondence logs of legal aid organisations and private law firms. The marginal effect of pre-litigation

communication on settlement probability would be separated out of a regression model controlling for claim size, type of dispute (property, contract, tort), and party type (individual vs. corporate). The relevant statute is Order V of the Code of Civil Procedure, 1908, which regulates the issuance of summons, as well as the Legal Services Authorities Act, 1987, which promotes mediation as an alternative cost-effective method prior to litigation.

Written Statement Non-Filing and Default Judgments-

Defendants who do not file any written statement within the time prescribed under the Code of Civil Procedure, 1908, have a statistically significant chance of having an ex parte or default decree issued against them, and such decrees are cancelled on restoration applications in less than 20% of cases. This hypothesis addresses an important procedural juncture—when the defendant approaches or withdraws from the litigation process. Order VIII, Rule 1 of the Code of Civil Procedure, 1908, requires the filing of a written statement within 30 days, extendable to 90 days by court order and on failure to do so, the court may proceed ex parte under Order IX, Rule 6. But the hypothesis also investigates whether the procedural remedy of restoration as provided in Order IX, Rule 13 is practically effective. A chi-square test of association between non-response and adverse outcomes could be conducted based on empirical studies of district court records broken down by defendant response time, decree type awarded, and restoration result. The results would have far-reaching consequences for access to justice, especially for those without counsel and uninformed of time limits.

Discovery Phase Duration and Overall Case Pendency-

Even after controlling for case complexity, civil cases with both parties using the maximum amount of discovery (interrogatories, document production requests, and oral deposition) take 40% longer, on average, to reach a final judgment than cases that do not involve as much pre-trial discovery. This thesis asks whether a more comprehensive exchange of evidence in the discovery and framing-of-issues exercises ordered by Order X and Order XIV of the Code of Civil Procedure, 1908, in India routinely lengthens case processing time but does not benefit fair adjudication. It can be tested by carrying out a longitudinal study of case management data from high courts and commercial courts established under the Commercial Courts Act, 2015 (CCA), which institutes mandatory case management hearings and commercial court timelines for commercial disputes; if commercial court case durations are significantly shorter than those in civil courts for cases with similar complexity, the hypothesis is supported. Finally, the Bharatiya Sakshya Adhiniyam, 2023 is relevant to the extent that its rules relating to admissibility of electronic records and documentary evidence affect the nature and extent of discovery in current litigations.

What are the mechanisms and rates of disposal of ADR?

The number of cases settled in Lok Adalats under the Legal Services Authorities Act, 1987 or in court-annexed mediation processes is settled in a median time that is at least three times less than the corresponding number of cases in full trial mode and results in lower numbers of cases for a party in post-settlement litigation. This hypothesis is that the efficiency and durability of alternative dispute resolution results are superior to those of adversarial litigation. Lok Adalat awards are final and binding, and no appeal is provided against the award, which makes them more terminal than a trial court award – which is routinely challenged at various stages right up to the High Court and Supreme Court, thus adding to the years for finalisation. The hypothesis can be tested in the context of the published disposal statistics by the NALSA, which are disaggregated by type of dispute and correlated with district court pendency data from the National Judicial Data Grid. A matched-pair comparison—where Lok Adalat-resolved cases are matched with cases taken on trial, based on the value and nature of the claims — would help provide a proper estimate of the time difference and the number of recurring cases.

Appellate Chain Utilisation and Judgment Finality-

In Indian civil litigation, less than 35% of decrees by the first appellate court are the end of the process, as the majority of litigated decrees go for a second appeal or revision petition, significantly reducing the finality of the decrees issued by the trial court. The result of this multi-levelled appellate system set up by the Civil Procedure Code, 1908, is that even if a party wins at trial, he is not entitled to the actual relief within a few years or even decades. The hypothesis is testable by identifying cohorts of cases that move up from the district courts to the Supreme Court and the High Courts, and calculating the percentage of cases that make it to each appellate court. A secondary issue, to be decided by a losing party, whether it is a government institution or a private litigant, would be whether institutional litigants are responsible for causing cumbersome appellate congestion, as observed by the existing Law Commission of India.

Execution Gap Between Decree and Actual Relief-

Indian civil courts have a large number of decree-holders who start formal execution proceedings under Order XXI of the Code of Civil Procedure, 1908, as the judgment-debtors do not comply with the court's order, and of these, fewer than 50% are able to recover the amount of the decree through asset attachment and wage garnishment. Perhaps the most significant and least researched aspect of civil litigation is the difference between the verdict and the actual relief that is obtained. Qualitative and anecdotal evidence abounds that execution is slow, under-resourced, and often stymied by asset concealment or by the fact that assets are simply not available. The hypothesis can be tested by a large-sample survey of decree-holders in district civil courts in a number of states, and by analysing the registers of execution petitions to monitor outcomes. So

the findings would directly affect the credibility of the civil justice system, a system in which the decrees are often unenforceable, and thus cannot be described as delivering justice in any meaningful sense, even if the proceedings leading to the decree were fair.

CONCLUSION

The Indian civil litigation process is not just a series of steps; it is a system of justice, fair and balanced to ensure rights of all the stakeholders are upheld. Every stage of this process, from the careful drafting of the plaint at the time of filing, through a trial to the enforcement of the final decree by execution proceedings, has a purpose: no one should be condemned unheard, no evidence should be overlooked, and no judgment should be rendered without reason. This is a strong and difficult system because of its accuracy. The deadline is firm, documents must be precise and procedural mistakes can come at a high price to a party – sometimes a party's price. Even the strongest case on its merits can be derailed due to a missed limitation period, improperly served summons, or a general, non-specific written statement. That is why, it is not a luxury everyone can get to know the process; it's a necessity for anyone who may find themselves in a courtroom one day. Simultaneously, the system is changing. The e-filing portals, electronic service of summons, commercial courts with strict deadlines, and the increasing importance of mediation and Lok Adalats are all a reflection of a judiciary that is trying to take a proactive approach in curbing the delays that have long been a problem in Indian litigation. These are NOT alternate processes to justice; they are quicker routes to it. Finally, the courthouse is not a maze, but rather an orderly place to which everyone thinks of walking by following its logic. Each adjournment, each interlocutory application, each framed issue is part of a structure which has a single purpose: to achieve a fair, reasoned and enforceable solution. This architecture is the foundation for litigants, students and legal professionals to become familiar with and confident in navigating.

COURT PREPARATION CHECKLIST

Court preparation refers to the systematic process undertaken by an advocate before appearing before a court or tribunal. It involves reviewing the case file, understanding the legal issues, organising documents, preparing arguments, anticipating questions from the bench, taking next hearing dates and ensuring compliance with procedural requirements.

I. Case Information Sheet:

1. Case Number:

Meaning: A case number is the unique identification number allotted by the court registry. It is used to search orders and judgments and is required for filing applications.

Eg: W.P.(C) No. 1234 of 2026

Wherein:

W.P.(C) = Writ Petition (Civil)

1234 = Serial Number

2026 = Year of Filing

2. Case Title:

Meaning: The official name of the case showing the parties involved.

It is necessary to identify the dispute, used in all pleadings and court records.

Eg: State v. Mohan Singh

3. Name of the Court:

Meaning: The advocate must verify the exact court where the matter is listed.

It is necessary to determine the jurisdiction and help understand the applicable procedural laws.

Eg: Supreme Court of India, Rajasthan High Court, Jaipur Bench

4. Court Number:

Meaning: The specific courtroom assigned to a judge.

Large courts need multiple courtrooms. Reaching the wrong courtroom can result in missing the hearing.

Eg: Court No. 1, Court No. 35

6. Hearing Date:

Meaning: The next date fixed by the court.

It is necessary to avoid non-appearance and helps to plan preparation and filing

Eg: 10 June 2026

7. Name of the Presiding Judge:

Meaning: The Presiding Judge is the judicial officer who hears and decides the case. Before every hearing, the advocate should verify the name of the judge or bench before which the matter is listed.

It is necessary to verify the name of the court because it determines the jurisdiction under which the case is being heard and identifies the level of the judicial hierarchy involved. It

also helps in understanding the procedural laws and rules applicable to the matter, enabling proper legal research and preparation for the proceedings.

Verification:

- Check if the case has been transferred.
- Check for any change in bench composition.

Eg: A case earlier listed before one judge may be reassigned to another judge due to transfer or roster changes. Therefore, the latest cause list should always be checked before the hearing.

II. Hearing Date:

Meaning: The Hearing Date refers to the specific date on which a case is listed before the court for proceedings, arguments, orders, evidence, or judgment. It is the scheduled date fixed by the court for taking up the matter.

Information to Verify: Before attending court, the following details regarding the hearing date should be confirmed:

- Date of Hearing
- Time of Listing
- Court Hall Number
- Bench/Judge before whom the matter is listed
- Purpose of Listing (e.g., admission, notice, arguments, evidence, bail hearing, final disposal, judgment)

Eg:

- Hearing Date: 15 June 2026
- Court: High Court
- Court Hall No.: 12

Importance: The hearing date is important because it ensures timely appearance before the court and helps avoid missing important proceedings. It allows parties and legal professionals to adequately prepare the relevant facts, statutes, and case laws before the hearing. Additionally, it enables effective monitoring of the progress of litigation and assists lawyers, litigants, interns, and researchers in planning and organising their court visits efficiently.

Sources for Verification:

The hearing date may be verified through:

- Daily Cause List issued by the court.
- Official court website.
- e-Courts Services Portal.
- Advocate-on-Record or concerned counsel.
- Court Registry.

III. Stage of the Matter:

The legal system in India plays an important role in ensuring justice for all. Criminal trials in India follow a structured process that focuses on fairness and adherence to the principles of natural justice. In this blog post, we will provide a simple step-by-step guide to help you understand how criminal trials work in India.

1. Filing of the First Information Report (FIR):

The process starts with filing an FIR. This is a written document that contains information about the alleged offence and is submitted to the local police station. The FIR serves as the basis for starting the investigation and subsequent legal proceedings.

2. Investigation and Arrest:

After the FIR is filed, the police conduct an investigation to gather evidence and identify the accused. They visit the crime scene, collect witness statements, and analyse any relevant forensic evidence. If the investigation reveals enough evidence to suggest a person's involvement, the police may make an arrest.

3. Filing of Chargesheet:

Once the investigation is complete, the police prepare a chargesheet. This document includes a detailed account of the evidence gathered during the investigation, the charges against the accused, and the names of witnesses. The chargesheet is then submitted to the court, and it forms the basis for the trial.

4. Framing of Charges:

Upon receiving the chargesheet, the court examines the evidence and decides which charges to formally bring against the accused. The accused is informed about the charges and has the opportunity to respond. They can also seek legal representation for their defence.

5. Examination of Witnesses and Cross-Examination:

During the trial, the prosecution presents their witnesses, who provide their testimonies under oath. The defence counsel then cross-examines these witnesses to test the credibility of their statements and challenge the evidence presented.

6. Presentation of Evidence and Arguments:

Both the prosecution and the defence have a chance to present their evidence and arguments before the court. The prosecution tries to prove the guilt of the accused beyond a reasonable doubt, while the defence aims to establish reasonable doubt or question the credibility of the prosecution's case.

7. Closing Arguments and Judgment:

After the presentation of evidence and arguments, both parties make their closing statements summarising their positions. The judge carefully considers all the evidence, arguments, and legal aspects of the case before delivering the final verdict. The judgment can result in the acquittal or conviction of the accused, followed by the imposition of an appropriate sentence.

8. Appeal and Revision:

If any party is dissatisfied with the judgment, they have the right to challenge it by filing an appeal. Higher courts, such as the High Court or the Supreme Court, review the case to determine if any errors or miscarriages of justice occurred. Additionally, the aggrieved party may also file a revision petition for the higher court to review the legality, regularity, or propriety of the lower court's decision.

IV. Documents to carry:

Before attending court, it is important to carry all necessary documents to ensure smooth participation in the proceedings and proper case observation. The following documents should be carried:

- (i) Case Details Sheet containing the case number, case title, court number, and hearing date.
- (ii) Copy of the Cause List showing the listing of the matter before the concerned court.
- (iii) Petition/Pleading Copy such as the plaint, writ petition, appeal, complaint, or application filed in the case.
- (iv) Written Statements, Replies, or Counter Affidavits filed by the opposite party.
- (v) Previous Court Orders and Judgments relevant to the matter.
- (vi) Relevant Statutes, Acts, Rules, and Regulations applicable to the case.
- (vii) Important Case Laws and Precedents that may be referred to during the proceedings.
- (viii) Identity Card issued by the college, university, or internship organisation for entry and verification purposes.
- (ix) Notebook and Pen for recording court observations and important legal points.
- (x) Authorization/Internship Letter (if attending as an intern or researcher).

Importance:

Carrying these documents helps in understanding the proceedings effectively, following the arguments of both parties, taking accurate notes, and conducting meaningful legal research and court observation.

V. Annexure Arrangement:

Meaning: Annexures are documents attached to petitions, affidavits, or pleadings to support the facts of the case.

Arrangement Method:

1. Index First: A list of all documents with:

- (i). Serial number
- (ii). Description
- (iii). Date
- (iv). Annexure number (A-1, A-2, etc.)
- (v). Page numbers

2. Numbering of Documents: Documents are marked as Annexure A-1, A-2, A-3 in proper order.

3. Order of Arrangement:

- (i). Chronological order
- (ii). Importance to the case

4. Reference in Affidavit: Each annexure must be referred to clearly in the affidavit.

Importance: It helps the court understand the case easily, keeps all documents properly organised in a systematic manner, and avoids confusion during the hearing by ensuring clear and orderly presentation of records.

VI. Chronology:

A chronology of events is a systematic and sequential record of all important facts, incidents, and procedural developments in a case arranged according to the dates on which they occurred. It provides a clear timeline of the dispute and enables advocates, judges, law students, and researchers to understand the factual background of the matter quickly and accurately. The chronology generally begins with the earliest relevant event giving rise to the dispute and continues through subsequent developments such as issuance of notices, filing of complaints or petitions, court orders, hearings, and other significant occurrences. By presenting events in chronological order, it becomes easier to identify the sequence of facts, understand the progression of litigation, and analyse the legal issues involved.

Importance: A well-prepared chronology helps in understanding the case at a glance, assists in legal research, improves case preparation, and ensures that no significant event is overlooked during court proceedings. It also serves as a useful reference during arguments and drafting.

Date	Event
10.01.2025	Agreement executed between the parties
15.03.2025	Dispute arose regarding performance of the contract
20.03.2025	Legal notice issued by the petitioner
05.04.2025	Reply to legal notice received
25.04.2025	Petition filed before the court
10.06.2025	Notice issued by the court
15.09.2025	Matter listed for final arguments

VII. Hearing Notes:

Hearing notes are a short written record of what happens during a court hearing. They include what both sides (petitioner and respondent) say, what the judge observes, any instructions given by the court, the orders passed, and the next date of hearing. These notes help in keeping track of the case and are useful for future reference.

Eg: The petitioner presented their arguments, the respondent asked for time to file a reply, and the court fixed the next hearing date as 22 June 2026.

VIII. Courtroom Conduct:

Courtroom conduct refers to the professional and respectful behaviour expected from advocates, litigants, law students, interns, and visitors while present in the courtroom. Proper courtroom conduct helps maintain the dignity, discipline, and decorum of judicial proceedings.

Individuals attending court should be punctual, appropriately dressed, maintain silence, follow the directions of the judge and court staff, and avoid any behaviour that may disrupt the proceedings. Respect for the court, judges, advocates, and other participants is essential at all times.

Eg: A law student observing court proceedings should enter the courtroom quietly, switch off their mobile phone, remain attentive during the hearing, and address the court respectfully when required.

Importance: Proper courtroom conduct reflects professionalism, ensures smooth functioning of the court, and upholds the dignity of the judicial system.

IX. Filing Preparation

Filing preparation refers to the process of organising, verifying, and compiling all necessary documents before submitting a case, application, petition, appeal, or affidavit before the court. It involves ensuring that the pleadings are properly drafted, relevant documents are attached as annexures, court fees are paid, and all procedural requirements are complied with.

Proper filing preparation helps avoid defects, delays, and objections from the court registry. It also ensures that the case is presented in a clear, complete, and professional manner.

Eg: Before filing a writ petition, the advocate verifies the petition, arranges annexures, prepares the index and synopsis, affixes the required court fee, and checks all documents for completeness.

Importance: Effective filing preparation ensures procedural compliance, facilitates smooth registration of the case, and contributes to efficient case management and presentation before the court.

X. Post-Hearing Follow-Up:

Post-hearing follow-up refers to the actions taken after a court hearing to ensure compliance with the directions and orders issued by the court. It involves reviewing the proceedings, noting the court's observations, obtaining copies of orders passed, updating the case file, and preparing for the next stage of the matter.

This process helps advocates, interns, and researchers keep track of the case's progress and ensures that any deadlines or directions given by the court are properly complied with.

Eg: After the hearing, the advocate obtained a copy of the court order, noted the next date of hearing, and began preparing the documents required to be filed before the next listing.

Importance: Post-hearing follow-up ensures effective case management, timely compliance with court directions, and proper preparation for future proceedings. It also helps maintain accurate records of the case's progress.

XI. Quick Reference Checklist:

A Quick Reference Checklist is a practical tool used to verify that all essential case-related information, documents, and preparations are in place before attending court. It provides a concise overview of the key aspects of the matter and helps ensure that no important detail is overlooked. By referring to this checklist, advocates, law students, interns, and researchers can remain organised, prepared, and confident during court proceedings.

The checklist should include verification of the case number and title, court and courtroom details, the name of the judge, the hearing date, the stage of the matter, relevant pleadings, annexures, a chronology of events, previous orders, and any documents required for the hearing. It should also confirm that hearing notes have been reviewed and that all filing or compliance requirements have been completed.

E.g. of a Quick Reference Checklist:

- Case Number and Case Title verified.
- Court Hall Number and Judge's name confirmed.
- Hearing Date and Time checked.

Importance: A Quick Reference Checklist promotes systematic preparation, minimises the risk of missing important information, and facilitates effective participation in court proceedings. It serves as a final review mechanism before attending court and contributes to efficient case management and legal research.

XII. Practical Court Diary Format (For Law Students/Interns)

1. Date of Visit:

2. Name of Court:

3. Court Number:

4. Name of Presiding Judge:

5. Title of Case _____ **vs.** _____

6. Case Number:

7. Nature of Case: (Criminal/Civil/Bail Application/Writ Petition, etc.)

8. Advocates Appearing:

- Petitioner/Applicant/Appellant: _____
- Respondent/Opposite Party: _____

9. Stage of proceedings: (Admission, Bail Hearing, Evidence, Arguments, Final Hearing, etc)

10. Proceedings of the day:

Briefly mention what happened in court. Include:

- Arguments made by parties
- Questions or observations by the judge
- Documents filed
- Orders or directions passed

11. Order Passed:

12. Next Date of Hearing:

13. Learning/Observation:

Write what you learned from the hearing, such as:

- Court procedure followed
- Important legal provisions discussed
- Advocacy skills observed

14. Signature of Student:

Sample:

Date: 09.06.2026

Court: High Court

Court No.: 5

Judge: Hon'ble Justice A.B. Sharma

Case: Rahul Kumar v. State of Chhattisgarh

Case No.: MCRC No. 1234/2026

Nature: Bail Application

Proceedings: Counsel for the applicant argued that the accused had been falsely implicated. The State opposed the bail application. The Court heard both parties and examined the case diary.

Order Passed: Bail application dismissed.

Next Date: Not Applicable.

Learning: Learned how bail arguments are presented and how the Court considers the seriousness of allegations before deciding a bail application.

EVIDENCE CHECKLIST

1. Identity Proof

- The first step in any legal proceeding involves establishing the identity of the parties concerned. Identity proof assumes significance not only for procedural compliance but also for demonstrating a person's connection to the events in question.
- Documents such as *Aadhaar cards, passports, voter identity cards, Permanent Account Number (PAN) cards, driving licences, employee identity cards, birth certificates, and marriage certificates* may become relevant depending upon the nature of the dispute. In commercial matters, certificates of incorporation, partnership registrations, or other organisational documents may also be required. While collecting identity documents, parties should preserve clear copies and retain the originals separately. Self-attested copies may be prepared where required for filing purposes. Particular attention should be

paid to ensuring that the details reflected in these documents correspond with the facts being asserted in the proceedings.

2. Address Proof

- Address proof establishes *residence, place of business, or the location* connected with the dispute. Such evidence becomes important in determining jurisdiction, effecting service of notices, verifying contractual details, and tracing parties involved in the proceedings. Common forms of address proof include utility bills, rent agreements, registered sale deeds, municipal tax receipts, bank statements reflecting the relevant address, and official correspondence issued by employers or governmental authorities.
- Where the dispute spans a prolonged period, parties should endeavour to preserve address records corresponding to the relevant timeframe rather than relying solely upon current documentation. This becomes particularly significant when allegations relate to past events or historical transactions.

3. Contracts and Agreements

- Contracts frequently constitute the *primary evidence in civil and commercial* disputes. They *define the rights, obligations, and expectations of the parties* involved. *Employment agreements, lease deeds, sale agreements, partnership deeds, memoranda of understanding, loan agreements, service contracts, confidentiality agreements, and digitally accepted terms and conditions* are examples of contractual evidence that may be relevant.
- However, the mere existence of an agreement may not suffice. Parties should preserve signed originals wherever possible and maintain records of negotiations that preceded execution, including emails and draft versions. It is equally important to ensure compliance with statutory requirements concerning registration and stamp duty, as deficiencies in this regard may affect admissibility or evidentiary value.
- Section 17 of the Registration Act, 1908 mandates compulsory registration of specified documents affecting immovable property. Failure to comply with such requirements may limit the document's admissibility and evidentiary utility. Similarly, Sections 33 to 35 of the Indian Stamp Act, 1899 regulate the consequences of producing instruments that are inadequately stamped before a court or public authority. In this context, the Bharatiya Sakshya Adhiniyam, 2023 (BSA) continues to recognise the importance of original documentation. Section 57 of the BSA defines primary evidence as the document itself produced for the inspection of the Court, while Section 60 permits secondary evidence under specified circumstances. Section 60 further clarifies that secondary evidence relating to the contents of documents may be given only in situations recognised by law, thereby emphasising the importance of preserving original records wherever possible. Accordingly, preserving originals and maintaining authenticated copies assumes considerable significance during litigation.

4. Receipts and Financial Documentation

- Receipts and invoices often provide *objective proof of transactions and expenditures. They may demonstrate payment, performance of contractual obligations, or financial loss* suffered by a party. Rent receipts, purchase invoices, salary slips, courier acknowledgements, repair bills, educational fee receipts, and medical invoices are illustrative examples.
- These records should ideally be preserved in chronological order. Since thermal printing used in many receipts tends to fade over time, scanned copies should be created promptly while ensuring that the originals are safely retained.

5. Payment Records and Bank Statements

- In contemporary transactions, *electronic payment records have become increasingly significant. UPI transactions, NEFT and RTGS confirmations, IMPS records, debit and credit card statements, digital wallet histories, cheque counterfoils, and loan repayment schedules* can collectively establish the movement of funds between parties.
- Bank statements serve as independent evidence generated by financial institutions and are often accorded substantial evidentiary weight. The Bankers' Books Evidence Act, 1891 facilitates the proof of entries contained in bankers' records by recognising certified copies as admissible evidence, thereby reducing the necessity of producing original books of account maintained by banking institutions.
- Parties should obtain complete statements covering the entire disputed period and, wherever necessary, request certified copies from the bank. Relevant entries may be highlighted separately to facilitate understanding during litigation.

6. Chats and Emails as Electronic Evidence

- Digital communication has transformed the evidentiary landscape. *Conversations conducted through WhatsApp, Telegram, Signal, SMS, Instagram, Facebook Messenger, and similar platforms frequently reveal admissions, negotiations, threats, assurances, or acknowledgements relevant to the dispute.*
- While preserving such communications, parties should avoid selectively extracting messages that may distort the overall context. Complete chat histories should be exported wherever feasible, accompanied by screenshots displaying timestamps and participant details. Similarly, email evidence should be retained in its original format, including attachments and metadata. Downloading emails directly from the service provider and preserving the complete chain of correspondence enhances authenticity and reduces challenges regarding manipulation.
- The admissibility and proof of electronic records are now governed by the Bharatiya Sakshya Adhiniyam, 2023 (BSA). Section 2(1)(d) of the BSA includes electronic and digital records within the definition of documents. Further, Section 61 recognises electronic or digital records as documentary evidence. Section 63 prescribes the

conditions under which statements contained in electronic records become admissible in evidence. Electronic records, including emails, instant messages, social media communications, digital photographs, and computer-generated records, are recognised as documentary evidence under the BSA. Parties relying on such evidence should preserve the original electronic record and obtain the necessary certification, wherever required, to establish authenticity and reliability before the adjudicating authority.

7. Photographs and Video Recordings

- Visual evidence often provides *persuasive corroboration of factual assertions. Photographs depicting injuries, property damage, accident scenes, defective products, workplace conditions, or disputed events* can substantially strengthen a party's case. Video recordings, including CCTV footage and mobile phone recordings, may similarly capture crucial aspects of an incident.
- The probative value of such evidence depends significantly upon preservation practices. Original files should be retained without alteration, and metadata containing details regarding the date, time, and device used for creation should not be tampered with. Where possible, information concerning the individual who captured the photograph or video should also be documented.

8. Medical Records

- Medical documentation becomes indispensable in matters involving physical injury, mental trauma, medical negligence, disability claims, insurance disputes, or compensation proceedings. Prescriptions, discharge summaries, diagnostic reports, laboratory results, radiological investigations, disability assessments, and treatment records collectively assist in establishing the nature and extent of harm suffered.
- Parties should endeavour to collect these records contemporaneously with treatment rather than attempting retrospective reconstruction. Certified copies obtained from healthcare institutions often carry greater credibility, particularly where the authenticity of documents may later be questioned.

9. Police Papers and Official Records

- Official records generated by law enforcement agencies possess considerable evidentiary significance. Under Section 193 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the investigating officer is required to forward the police report upon completion of investigation to the competent Magistrate. Such reports often form the basis for further judicial proceedings. First Information Reports (FIRs), complaint acknowledgements, daily diary entries, seizure memos, arrest memos, site plans, witness statements recorded during investigation, charge sheets (police reports under Section 193 of the Bharatiya Nagarik Suraksha Sanhita, 2023), closure reports, and orders relating to bail frequently constitute important components of the evidentiary framework in criminal proceedings.

- Obtaining certified copies of such records whenever permissible helps avoid disputes concerning authenticity. Equally important is preserving proof that complaints were actually lodged before the competent authorities.

10. Legal Notices and Correspondence

- Pre-litigation correspondence often sheds light on the conduct of parties and their attempts to resolve disputes amicably. Demand notices, legal notices, replies thereto, show-cause notices, termination communications, and cease-and-desist letters may establish prior knowledge, opportunities for compliance, or admissions regarding liability. Admissions assume considerable evidentiary importance under the Bharatiya Sakshya Adhiniyam, 2023. Sections 15 to 24 of the BSA regulate the relevancy and proof of admissions, which may significantly influence the outcome of civil and criminal proceedings
- To maximise evidentiary value, parties should retain both the notices themselves and the accompanying proof of dispatch and delivery. Postal receipts, courier acknowledgements, tracking reports, and email delivery confirmations should therefore be preserved alongside the substantive communication.

11. Preparation of a Timeline Log

- One of the most effective methods of organising evidence is preparing a comprehensive timeline. A chronology enables advocates, investigators, and adjudicators to appreciate the sequence of events and understand how different pieces of evidence interrelate.
- Each entry in the timeline should identify the date of occurrence, a concise description of the event, the persons involved, and the supporting documents or records corresponding to that event. Regular updates to this chronology throughout the progression of the case can significantly improve case management and trial preparation.

12. Witness Details

- Despite the growing importance of documentary and electronic evidence, witness testimony continues to occupy a central role within the justice system. Witnesses may provide direct observations, authenticate documents, or corroborate material facts. Section 124 of the Bharatiya Sakshya Adhiniyam, 2023 provides that all persons shall be competent to testify unless the Court considers them incapable of understanding questions put to them or of giving rational answers thereto
- Accordingly, a record should be maintained containing the witness's name, contact details, address, relationship with the parties, nature of knowledge, and willingness to participate in proceedings. Care must be exercised to avoid influencing or coaching witnesses, as this may adversely affect their credibility before the court. The examination of witnesses before the court is governed by Sections 136 to 138 of the Bharatiya

Sakshya Adhiniyam, 2023, which regulate the order and manner of examination-in-chief, cross-examination, and re-examination

13. Preservation and Storage of Evidence

- The final aspect of evidence management concerns storage and preservation. Physical documents should be arranged systematically in labelled folders and stored in secure conditions to prevent deterioration or loss. Originals and copies should ideally be maintained separately.
- Electronic evidence warrants even greater caution. Backup copies should be created using external storage devices and secure cloud platforms with appropriate encryption measures. Access should be restricted to authorised individuals, and a record should be maintained indicating when evidence was collected, copied, or transferred. An indexing system assigning exhibit numbers, brief descriptions, dates, and storage locations to each item of evidence further enhances efficiency and facilitates retrieval during legal proceedings.

Conclusion

Evidence collection is not a task that should commence only after litigation has begun. Rather, it is a continuous process requiring diligence, organisation, and foresight from the earliest stages of a dispute. Identity documents, contractual records, financial transactions, electronic communications, medical papers, police records, witness details, and chronological logs together form an integrated body of proof capable of substantiating claims and defences. A carefully maintained evidence checklist not only minimises the possibility of crucial material being overlooked but also strengthens the overall presentation of the case before judicial and quasi-judicial authorities. Ultimately, the effectiveness of legal advocacy depends not merely on persuasive arguments but on the availability of credible, well-preserved evidence capable of withstanding legal scrutiny.