

## **PRACTICE DIRECTION NUMBER 1 OF 2025**

### **DISPOSITION OF ABANDONED AND INACTIVE MATTERS IN THE HIGH COURT**

#### **1. Application**

- 1.1 The practice direction applies to all matters in the High Court of Zimbabwe that have been deemed abandoned under the provisions of the High Court Rules, 2021 or are inactive.

#### **2. Abandoned and Inactive Matters**

- 2.1. A matter shall be deemed abandoned or inactive where:
- a. any action required to be taken by any of the parties under the High Court Rules, 2021, has not been taken within the stipulated timeframe and no corrective action has been taken, or
  - b. the matter or process thereof has remained unattended to on the Integrated Electronic Case Management System (IECMS) by any party for an unreasonable period.
- 2.2. For the purposes of this Practice Direction, an “unreasonable period” shall be deemed to be any period exceeding three months from the date of the last action taken in the matter or the filing of the last process, whichever comes later.

#### **3. Referral of a Matter to a Judge by the Registrar**

3.1. Upon the identification of a matter as potentially abandoned or inactive, the Registrar shall issue a notice to all parties involved, informing them of the intention to place the matter before a Judge for disposition within **five (5)** days of the notice and the reason for considering the matter as abandoned or inactive, as the case may be.

Provided that, where a specific procedure for the disposition of a matter that is deemed abandoned under the High Court Rules, 2021 or inactive on the Integrated Electronic Case Management System (IECMS) is set out in the High Court Rules, 2021 or any other applicable law, the Registrar shall manage and process such matter in accordance with the procedure prescribed therein.

3.2. If no response or corrective action is received from the parties within the specified timeframe in paragraph 3.1., the Registrar shall place the matter before a Judge for determination.

#### **4. Determination by a Judge**

4.1 Upon receipt of the matter in accordance with paragraph 3.2 above, a Judge may:

- a. dismiss the matter for the reason that it has been deemed abandoned or has been inactive for an unreasonable period; or,

b. order further steps to be taken if there are compelling reasons to keep the matter active.

### **5. Reinstatement of Abandoned Matters**

- 5.1. Any party aggrieved by the order dismissing a matter deemed to have been abandoned or inactive may apply for reinstatement on good cause shown.
- 5.2. Applications for reinstatement shall be filed within fifteen (15) days of the order of dismissal and shall be heard by a Judge of the High Court.

### **6. Effective Date**

This Practice Direction shall come into effect on the date of its issuance and shall apply to all matters pending or commenced thereafter.



**HARARE**

**27 FEBRUARY 2025**

**THE HONOURABLE MR JUSTICE L MALABA**

**CHIEF JUSTICE OF ZIMBABWE**