

POSTPONEMENTS OF CASES:
EFFECTS AND IMPLICATIONS

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TABLE OF CONTENTS

	<u>Page</u>
Acknowledgement	iii
Table of contents	iv
List of statutes	v
List of cases	vi
List of Abbreviations	vii
CHAPTER I : INTRODUCTION	1
CHAPTER II : THE THREE STAGES	3
1. PRE-TRIAL STAGE	3
2. TRIAL STAGE	14
3. POST-TRIAL STAGE	23
CHAPTER III : EFFECTS AND IMPLICATIONS	26
CHAPTER IV : SUGGESTED SOLUTIONS	31
CHAPTER V : CONCLUSION	39

CHAPTER I : INTRODUCTION

Postponement is derived from the word postpone. The Penguin English Dictionary define 'postpone' as 'put off till later time or defer'. Thus to postpone a case means to defer the case to a later date or time.

Postponements of cases can justifiably be said to be one of the real problems facing the hearing of both criminal and civil cases in Subordinate Courts.

Though these problems are easily identifiable theoretically in real practice, it would be impossible to eliminate. However it may be possible that this problem could be minimised.

What could be done is perhaps to bring them within administrative (and possibly legal) control.

It needs a good and careful planning which inevitably requires harmonious co-ordinations by parties concerned with the administration of justice.

The aim of this paper is to discuss the instances of postponements of both criminal and civil cases, their effects and ways to eliminate or minimise them.

It is also proposed that the discussion of the above problem is confined to the subordinate courts only.

For purposes of this paper, I propose to classify postponements broadly into three stages. They are:

1. Pre-Trial Stage;
2. Trial Stage; and
3. Post-Trial Stage;

and, further to present the situation which arise out of postponements.