

CHAPTER 8

Supreme Court Cases

Part A

RULES FRAMED BY THE HIGH COURT REGARDING APPEALS TO SUPREME COURT

[*Note*—In 1970 Edition Punjab & Haryana High Court replaced this Chapter (8A) to which Delhi High Court has issued Amendments in 1975. But the Amendments of Punjab & Haryana of 1970 Edition is not applicable in Delhi.]

Rules made by the High Court of the Punjab under Article 7 of the High Court (Punjab) Order, 1947, read with clause 27 of the Letters Patent constituting the Lahore High Court and all other powers enabling it in this behalf regarding appeals to the Supreme Court.

(a) Civil appeals

1. (a) *Form and contents of petition for leave to appeal to the Supreme Court*—A petition for leave to appeal to the Supreme Court shall comply with the requirements of Rules 3(1), Order XLV, of the Code of Civil Procedure and contain the following particulars:

- (i) The name and address of each petitioner;
- (ii) The name and address of each person whom it is proposed to make a respondent;
- (iii) The Court in which, and the name of the Judge or Judges by whom the decree, complained of, was made;
- (iv) The date when such decree was made;
- (v) The value of the subject-matter of the suit in the Court of first instance;
- (vi) The value of the subject-matter in dispute in appeal; and
- (vii) The relief sought by such petition, and shall be signed by the petitioner or by some Advocate or Vakil on the rolls of the Court on his behalf.

(b) Every petition together with its enclosures, if any, shall be accompanied by three typed copies of the same for the use of the Court. The typed matter shall be in double spacing legible and on one side of the paper.

(c) *Time for an application for a certificate in a civil case under Article 132(1) of the Constitution*—An application for a certificate required in a Civil case under Article 132(1) of the Constitution shall be filed subject to the provisions of Sections 4, 5 and 12 of the Indian Limitation Act, IX of 1908 within 90 days from the judgment, decree or final order of the High Court.

2. Notice to issue on the applications—When a petition is made, the Deputy Registrar shall, unless the petition is dismissed at the preliminary hearing, cause notice thereof to be given to the opposite party in accordance with Order XLV, Rule 3(2) of the Code of Civil Procedure. The notice shall be in Form A appended to these rules.

The process-fee for the issue of the notice must be paid into Court at the time of filing the application.

3. Deposit of security on grant of certificates—When the Court grants a certificate, which shall be in Form B appended to these rules, the petitioner shall be required to deposit within ninety days, or such further period not exceeding sixty days, as the Court may upon cause shown, allow from the date of the decree complained of, or within six weeks from the date of the grant of the certificate (whichever is the later date) a sum of Rs. 2,500 as security for the respondent's costs.

In any special case the Court may, if it thinks fit upon the application of the respondent, require security to a larger amount; but in no case exceeding rupees five thousand.

4. Form of security—The security referred to in Rule 3 shall ordinarily be furnished in cash or in Government Securities, but the Court, at the time of granting the certificate, may, after hearing the opposite party who appears, order on the ground of special hardship that some other form of security may be furnished.

Provided that no adjournment shall be granted to the opposite party to contest the nature of such security.

5. Form of security in certain other cases—The security referred to in Order XLV, Rules 13 and 14 of the Code of Civil Procedure, shall be of such nature and amount as the Court may, on the merits of the case, decide.

6. Deposit of costs of preparation of records—Except in cases where a paper-book has been printed under Rule 4 of Chapter 2A of High Court Rules and Orders, Volume V the appellant shall deposit a lump sum of Rs. 400, within the time limited by Order XLV, Rule 7, of the Code of Civil Procedure, on account of the cost of the preparation of complete Parts I and II of the paper-book. The estimates in such cases will be prepared in accordance with the rates prescribed in Schedule B annexed hereinto and served as soon as possible after the receipt of the records and the filing of lists by

the parties, but the said deposit of Rs. 400 shall be made within the prescribed time irrespective of the service of estimates.

7. Inclusion of documents in paper-books—(a) If the appellant desires to include in Part I or II of the paper-book used at the hearing of the appeal in the High Court any papers on which the decision of the appeal to the Supreme Court depends, which have not already been included in the paper-books or to exclude there from any papers on the grounds that they are irrelevant to the subject-matter of the appeal to the Supreme Court he shall, within one week from the date of service upon him of the notice about the receipt of Lower Court records, apply to the Deputy Registrar for an order accordingly, and file with his application a complete list of the papers to be included in, or excluded from the printed paper-book; and he shall, at the same time serve copies of his application and list on the appearing respondents.

(b) Within one week from the date of receipt by them of copies of the application and list mentioned in clause (a) the appearing respondents shall, if they so desire, file a similar application and list and simultaneously serve copies thereof on the appellant;

(c) In cases where the paper-book has not been printed under Rule 4 of Chapter 2A of High Court Rules and Orders, Volume V, the appellant shall file a complete list of papers which he wishes to include in Parts I and II of the paper-book within two weeks of the service of notice about the receipt of lower Court records, and shall simultaneously serve a copy thereof on the appearing, respondents who shall thereupon prepare and file their lists within one week of the receipt of the appellants' list and simultaneously serve copies thereof on the appellant.

(d) If any party considers that any paper, or portion thereof, should be included in, or omitted from the lists, he may within one week from the receipt of a copy of the list of the other side, and after giving notice to the other side of his intended application, apply to the Deputy Registrar for an order that such paper, or portion thereof, should be inserted in the paper-book, or be omitted therefrom.

(e) If the parties are not in agreement as to whether a document should be included or not and as to which party shall bear the cost of inclusion of any document, the matter will at once be laid before a Judge of the Court, whose decision shall be final.

(f) Where an order is passed under clause (e) for exclusion on an application under clause (a), the excluded portion or portions shall be indicated by asterisks, where portion or portions of a paper are excluded, and a footnote shall be made by the Dealing Assistant giving reference to the order of the Judge of the Court. Where a paper or papers are excluded in entirety, a list of the paper or papers excluded shall be made and shall form part of the transcript record to the Supreme Court. The order or orders passed by the Judge of the Court under clause (e) shall also form part of such transcript record.

8. Deposit or drawing up an estimate—With his application mentioned in Rule 7(a) the appellant shall deposit a sum of Rs. 16 for drawing up an estimate of the expense to be incurred in having record printed:

Provided that it shall be at the discretion of the Deputy Registrar to dispense with the estimate and to allow the petitioner to deposit such sum on account of expense as may, under the circumstances of the case, be reasonable.

9. When appeal to be declared as admitted—Where the security mentioned in Rule 3 has been furnished and the deposits required by Rules 6 and 8 made, the Court shall declare the appeal admitted and give notice thereof in Form C appended to these rules to the respondent.

10. Action to be taken when security and cost not deposited—Where an Appellant having obtained a certificate for the admission of an Appeal, fails to furnish the security or make the deposit required by Rules 3, 6 and 8 or apply with due diligence to the Court for an order admitting the Appeal, the Court may, on its own motion or on an application in that behalf made by the respondent, cancel the certificate for the admission of the Appeal and may give such directions as to the Costs of the Appeal and the security entered into by the Appellant as the Court shall think fit, or make such further or other Order in the premises as, in the opinion of the Court, the justice of the case requires.

11. Translation of vernacular documents to be made and revised—All additional documents to be printed which are not in the English language and which have not been translated for the use of the Court, shall be translated into English under the orders of Deputy Registrar, and all the translations made or used shall be revised and authenticated by the Head Translator.

For such translation, revision and authentication a period not exceeding two months shall be fixed by the Deputy Registrar.

12. Preparation and printing of the records—The Record shall be prepared and printed under the supervision of the High Court in accordance with the rules contained in Schedule A attached hereto, and the parties may submit any disputed question arising in connection therewith to the decision of the Court and it shall give such direction thereon as the justice of the case may require.

13. Arrangement and index of printed record—As soon as the transcript or printed Record as far as possible, is complete, it shall be arranged, in chronological order, and a complete index of all papers, documents and exhibits in the cause, with a list showing those which have been omitted from the transcript or printed record shall be prepared under the orders of the Deputy Registrar within a period of one month.

14. Despatch of Record to the Supreme Court—When the Record has been made ready, the Deputy Registrar shall:

(i) at the expense of the appellant transmit to the Registrar of the Supreme Court such number of copies as the Supreme Court may direct, or in the absence of any special direction in this behalf, 20 copies of such record, one of which copies he shall certify to be correct by signing his name on, or initialling every eighth page thereof and by affixing thereto the seal of the Court;

(ii) give notice of the despatch of the record to the parties through the Senior Sub-Judge of the District concerned; and

(iii) when the Senior Sub-Judge has intimated the service of notice on the parties, and send to the Registrar, Supreme Court, a certificate in manuscript in (Form D appended to these rules) as to the date or dates on which the notice or notices under the preceding sub-clause (ii) was or were served.

15. Extension of period for compilation of the record—The periods prescribed in Rules 6, 7, 8, 11 and 13 for the several stages in the compilation of the transcript or printed record may, for sufficient reason, be extended under orders of the Court.

16. Record of substitution of heirs of the deceased parties—The supplemental records with substitution and representation of heirs of deceased parties shall be transmitted to the Supreme Court. If the paper-book has already been printed the supplemental record shall be in manuscript.

17. Duty of Deputy Registrar to take action if appellant is not diligent—The Deputy Registrar shall periodically and at short intervals place on the Court's list all appeals in which it appears to him that the appellants are not diligently prosecuting and call on the appellants to show cause before the Court why the appeals should not be dismissed for want of prosecution.

18. Order of a single Judge sufficient—For the purpose of these rules, where the orders of the Court are required, the order of one Judge shall be sufficient.

19. Deputy Registrar may delegate his duties to the Assistant Registrar or other officer of the Court—The Deputy Registrar may, under the orders of the Court, delegate any of the duties which devolve upon him under these rules, to the Assistant Registrar or other officer of the Court.

20. Mode of service of notices—A notice, which it is necessary to serve under these rules or under Order XLV of the Code of Civil Procedure, may be served in manner provided by the Code of Civil Procedure for the service of notices, or upon an Advocate or Vakil who has appeared for the party to whom notice is to be given.

21. Certificate obtained by the party at the time of disposal of an appeal or any proceeding—When a certificate for leave to appeal to the Supreme Court has been obtained by the party at the time of the disposal of an appeal or any proceeding, he shall file an application containing the grounds of his appeal for an order for the registration of the appeal and preparation of the record together with a sum of Rs. 16 for drawing up an estimate for the preparation of the record.

22. Special leave to appeal granted by Supreme Court—On receipt from the Supreme Court of a certified copy of an order granting special leave to appeal under Order XIII, Rule 7 of the Supreme Court Rules, 1950, the High Court shall, in the absence of any special directions in the order, act in accordance with the provisions contained in Order XLV of the Code of Civil Procedure so far as applicable.

23. Appeal under Article 135 of the Constitution—The aforesaid Rules shall apply *mutatis mutandis* to appeal under Article 135 of the Constitution.

(b) Criminal Appeals

1. Time for an application for a certificate under Article 132(1) or for a certificate under Article 134(1)(c) of the Constitution—(1)An application for a certificate required in respect of a Criminal proceeding under Article 132(1) or for a certificate under Article 134(1)(c) of the Constitution shall be filed, subject to the provisions of Sections 4, 5, and 12 of the Indian Limitation Act, IX of 1908:

(a) within 15 days from the date of judgment or order of the High Court in cases involving death sentence; and

(b) within 60 days from the date of judgment or order of the High Court in other cases:

Provided that in cases falling under (a) above, an application for a certificate may be made to the Court orally or in writing before or at the time when any judgment, final order or sentence is passed:

Provided further that the Court may, for sufficient cause, extend the time or in any particular case grant certificate either under Article 132(1) or Article 134(1) *suo motu*, if it thinks fit, and in a case when such certificate is granted the parties shall be informed accordingly.

(2) Every application under this rule presented by an Advocate shall be signed by him and shall certify that the grounds contained therein are good and sufficient grounds for a certificate and the case is a fit one for moving the Supreme Court.

2. Printing of record in Criminal Appeals—On receipt of the copy of petition from the Supreme Court under Rule 6 of Order XXI of the Supreme Court Rules, 1950, the High Court shall arrange for the printing of the record in the case and for the transmission of the printed record to the Supreme Court with all convenient speed. The record shall be printed at the expense of the appellant, unless otherwise ordered by the Supreme Court. In appeals involving sentence of death, the record shall be printed at the expense of the Government.

3. Despatch of record in Criminal Appeals—As soon as the record has been got ready the Deputy Registrar shall despatch to the Registrar of the Supreme Court not less than 15 copies. In cases falling under Article 134(1)(a) and (b), the printed record shall be despatched to the Supreme Court within a period of forty-five days after the receipt of the intimation from Registrar of the Supreme Court of the filing of the petition of appeal.

4. Rules applicable to Criminal Appeals—So far as may be, the rules in this Chapter relating to Civil appeals shall, with the necessary modifications and adaptation, apply to Criminal appeals.

Provided that in Criminal Proceedings no security for costs shall be required to be deposited.

5. List of Pending Appeals—A list shall be maintained showing the numbers and dates of all pending Supreme Court appeals in various stages of preparation and the Deputy Registrar shall examine every quarter all such appeals in arrears and call on appellant who may be responsible for delay to show cause before the Court why the appeal should not be dismissed for want of prosecution.

6. In printing the record of Criminal appeals the procedure laid down in these rules for Civil Appeals shall be followed.

Part B
SUPREME COURT RULES

The following rules from the Supreme Court Rules, 1966 (amended upto-date) are reproduced for facility of reference.

Part II
APPELLATE JURISDICTION

(A) CIVIL APPEALS

Order XV

APPEALS ON CERTIFICATE BY HIGH COURT

³[**1.** Where a certificate of the nature referred to in clause (1) of Article 132 or clause (1) of article 133 has been given under Article 134-A of the Constitution or a certificate has been given under Article 135 of the Constitution or under any other provision of law the party concerned shall file a petition of appeal in the Court.

2. Subject to the provisions of Sections 4, 5 and 12 of the Limitation Act, 1963 (36 of 1963), the petition of appeal shall be presented within sixty days from the date of the grant of the certificate of fitness.]

³[Provided that in computing the said period, the time requisite for obtaining a copy of the certificate and the order granting the said certificate, shall also be excluded.]

3. (1) The petition shall recite succinctly and in chronological order with relevant dates, the principal steps in the proceedings leading up to the appeal from the commencement thereof till the grant of the certificate of leave to appeal to the Court, and shall also state the amount or value of the subject-matter of the suit in the Court of first instance and in the High Court, and the amount or value of the subject-matter in dispute before the Court with particulars showing how the said valuation has been arrived at. Where the appeal is incapable of valuation, it shall be so stated.

³[(2) The petition shall be accompanied by a certified copy of:

- (i) judgment and decree or order appealed from;
- (ii) certificate granted by the High Court; and (iii) the order granting the said certificate.

In cases where according to the practice prevailing in the High Court, the decree or order is not required to be drawn up it shall be so stated up affidavit. In appeals falling under any of the categories enumerated in Rule 5-A, however, in addition to the documents mentioned above, a certified copy (or uncertified copy if such copy is affirmed to be true copy upon affidavit) of the judgment or order and also of the decree of the Court immediately below or such a copy of the order of the Tribunal, Government authority or person, as the case may be shall also be filed before the appeal is listed for hearing *ex parte*. At least seven copies of the aforesaid documents shall be filed in the Registry.

(3) Where at any time between the grant by the High Court of the Certificate for leave to appeal to the Court and the filing of the petition of appeal, and party to the proceeding in the Court below dies, the petition of appeal may be filed by or against the legal representative, as the case may be, of the deceased party, provided that the petition is accompanied by a separate application, duly supported by an affidavit, praying for bringing on record such person as the legal representative of the deceased party and setting out the facts showing him to be the proper person to be entered on the record as such legal representatives.]

4. The Registrar, after satisfying himself that the petition of appeal is in order, shall endorse the date of presentation on the petition and register the same as an appeal in the Court.

5. Where a party desires to appeal on grounds which can be raised only with the leave of the Court, it shall lodge along with the petition of appeal a separate petition stating the grounds so proposed to be raised and praying for leave to appeal on those grounds.

⁶[5-A. Each of the following categories of appeals, on being registered shall be put up for hearing *ex parte* before the Court which may either dismiss it summarily or direct issue of notice to all necessary parties or may make such orders as the circumstances of the case may require, namely:

(a) an appeal from any judgment, decree or final order of a High Court summarily dismissing the appeal or the matter, as the case may be before it;

²[(b) Deleted.]

¹[(c) Deleted.]

(d) an appeal on a certificate granted by a High Court ⁸[under Article 134A of the Constitution being a certificate of the nature referred to in clause (1) of Article 132 or clause (1) of Article 133 of the Constitution or] under any other provision of law if the High Court has not recorded the reasons or the grounds for granting the certificate.

²[(e) an appeal under clause (b) of sub-section (1) of Section 19 of the Contempt of Court Act, 1971 (70 of 1971)].

^u[6 to 9 Deleted.]

10. As soon as the ^u[petition of appeal has been registered] ^u[and in the case of categories of appeals falling under Rule 5-A as soon as notice is directed to be issued] the Registrar of the Court shall:

(i) require the appellant to furnish as many copies of the petition of appeals as may be necessary for record and for service on the respondent; and

(ii) send to the Registrar of the Court appealed from a copy of the petition of appeal for record in that Court and a copy for service upon the respondent or each respondent:

Provided that the Registrar of the Court may on an application made for the purpose dispense with service of the petition of appeal on any respondent who did not appear in the proceedings in the Court appealed from or on his legal representatives:

Provided however that no order dispensing with service of notice shall be made in respect of a respondent who is minor or a lunatic.

Provided further that an order dispensing with service of notice shall not preclude any respondent or his legal representative from appearing to contest the appeal.

11. On receipt from the Court of the copy of the petition of appeal, the Registrar of the Court appealed from shall,

(i) cause notice of the lodgment of the petition of appeal to be served on the respondent personally or in such manner as the Court appealed from may by rules prescribes;

(ii) unless otherwise ordered by the Court transmit to the Court at the expense of the appellant the original record of the case; including the record of the Courts below:

Provided that where a transcript is to prepared in accordance with the proviso to sub-rule (1) of Rule 14, no original record shall be transmitted until specifically requisitioned; and

(iii) as soon as notice as aforesaid is served, to send a certificate as to the date or dates on which the said notice was served.

12. A respondent shall enter appearance in the Court within thirty days of the service on him of the notice of lodgment of the petition of appeal.

13. The respondent may within the time limit for his appearance deliver to the Registrar of the Court and to the appellant a notice in writing consenting to the appeal, and the Court may thereupon make such order on the appeal as the justice of the case may require without requiring the attendance of the person so consenting.

14. (1) The record shall be printed in accordance with the rules contained in the First Schedule to these rules and, unless otherwise ordered by the Court, it shall be printed under the supervision of the Registrar of the Court:

Provided that where the proceedings from which the appeal arises, were had in Courts below in a language other than English, the Registrar of the Court appealed from shall within six months from the date of the service on the respondent of the notice of petition of appeal transmit to Court in triplicate a transcript in English of the record proper of the appeal to be laid before the Court, one copy of which shall be duly authenticated. The provisions contained in Rules 15 to 20 shall apply to the preparation and transmission to the Court of the said transcript record.

¹⁵[Provided further that where the records are printed for the purpose of the appeal before the High Court and the said record be in English, the High Court shall prepare 10 extra copies in addition to the number of copies required by the High Court for use in the Court.]

(2) Upon receipt from the Court appealed from, of the English transcript of the record as aforesaid, the Registrar of the Court shall proceed to cause an estimate of the costs of preparing the printed copies of the records to be made and served on the appellant in accordance with the provisions contained in Rule 19 and will all convenient speed arrange for the preparation thereof.

(3) Unless otherwise ordered by the Court, at least twenty copies of the record shall be prepared.

15. (1) As soon as the original record of the case is received in the Court, the Registrar shall give notice to the parties who have entered appearance of the arrival of the original record and the parties shall, thereafter be entitled to inspect the record and to extract all necessary particulars therefrom.

(2) The appellant shall within four weeks of the service upon him of the notice referred to in sub-rule (1), file a list of the documents which he proposes to include in the paper-book, a copy whereof shall be served on the respondent. The respondent may within three weeks of the service on him of the said list file a list of such additional documents as he considers necessary for the determination of the appeal.

16. After the expiry of the time fixed for the filing of the additional list by the respondent, the Registrar shall fix a day for the settlement of list of documents to be included in the appeal record and shall give notice thereof to the parties who have entered appearance. In settling the lists the Registrar, as well as the parties concerned, shall endeavour to exclude from the record all documents that are not relevant to the subject-matter of the appeal and generally to reduce the bulk of the record as far as practicable.

17. Where the respondent objects to the inclusion of a document on the ground that it is not necessary or is irrelevant and the appellant nevertheless insist upon its inclusion, the record as finally printed, shall, with a view to subsequent adjustment of cost of and incidental to the printing of the said document, indicate in the index of papers or otherwise the fact that the respondent had objected to the inclusion of the document and that it has been included at the instance of the appellant.

18. Where the appellant objects to the inclusion of a document on the ground that it is not necessary or is irrelevant and the respondent nevertheless insists upon its inclusion, the Registrar, if he is of opinion that the document is not relevant, may direct that the said document be printed separately at the expense of the respondent and require the respondent to deposit within such time as he may prescribe, the necessary charges therefor, and the question of the costs thereof shall be dealt with by the Court at the time of the determination of the appeal.

19. As soon as the index of the records is settled, the Registrar concerned shall cause an estimate of the costs of the preparation of the record to be prepared and served on the appellant and require him to deposit within thirty days of such service the said amount. The appellant may deposit the said amount in lump sum or in such instalments as the Registrar may prescribe.

¹⁴**20.** Where the record has been printed for the purpose of the appeal before the High Court and sufficient number of copies (if it is in English) are available, no fresh printing of the record shall be necessary except of such additional papers as may be required.]

21. Where an appeal paper-book is likely to consist of two hundred or less number of pages, the Registrar, may instead of having it printed, have the record cyclostyled under his supervision.

22. If at any time during the preparation of the record the amount deposited is found insufficient, the Registrar shall call upon the appellant to deposit such further sum as may be necessary within such further time as may be deemed fit but not exceeding twenty-eight days in the aggregate.

23. Where the appellant fails to make the required deposit, the preparation of the record shall be suspended and the Registrar concerned shall not proceed with the preparation thereof without an order in this behalf of the Court and where the record is under preparation in the Court appealed from, of the Court appealed from.

24. When the record has been made ready the Registrar shall certify the same and give notice to the parties of the certification of the record and append to the record a certificate showing the amount of expenses incurred by the party concerned for the preparation of the record.

25. Each party who has entered appearance shall be entitled to three copies of the record for his own use.

26. Subject to any special direction from the Court to the contrary, the cost of, and incidental to, the printing of the record shall form part of the costs of the appeal, but the costs of, and incidental to, the printing of any document objected to by one party in accordance with Rule 18 or Rule 19, shall, if such document is found on taxation of costs, to be unnecessary or irrelevant, be disallowed to, or borne by the party insisting on including the same in the record.

27. Where the record is directed to be prepared under the supervision of the Registrar of the Court appealed from, the provisions contained in Rules 15 to 25 shall apply *mutatis mutandis* to the preparation thereof.

Special Case

28. Where the decision of the appeal is likely to turn exclusively on a question of law, any party, with the sanction of the Registrar of the Court, may submit such question of law in the form of a special case, and the Registrar may call the parties before him, and having heard them and examined the record, may report to the Court as to the nature of the proceedings and the record that may be necessary for the discussion of the same. Upon perusing the said report, the Court may give such directions as to the preparation of the record and hearing of the appeal, including directions regarding the time within which or otherwise, the parties shall lodge their respective statements of case:

Provided that nothing herein contained shall in any way prevent this Court from ordering the full discussion of the whole case if the Court shall so think fit.

Withdrawal of Appeal

29. Where at any stage prior to the hearing of the appeal an appellant desires to withdraw his appeal, he shall present a petition to that effect to the Court. At the hearing of any such petition a respondent who has entered appearance may apply to the Court for his costs.

Non-Prosecution of Appeals—Change of Parties

30. If an appellant fails to take any steps in the appeal within the time fixed for the same under these rules, or if no time is specified, it appears to the Registrar of the Court that he is not prosecuting the appeal with due diligence, the Registrar shall call upon him to explain his default and, if no explanation is offered, or if the explanation offered appears to the Registrar to be insufficient, the Registrar may issue a summons calling upon him to show cause before the Court why the appeal should not be dismissed for non-prosecution.

31. The Registrar shall send a copy of the summons mentioned in the last specified rule to every respondent who has entered appearance. The Court may, after hearing the parties, dismiss the appeal for non-prosecution or give such other directions thereon as the justice of the case may require.

32. Where at any time between the filing of the petition of appeal and the hearing of the appeal the record becomes defective by reason of the death or change of status of a party to the appeal, or for any other reason, an application shall be made to the Court, stating who is the proper person to be substituted or entered on the record in place of, or in addition to the party on record.

33. Upon the filing of such an application the Registrar of the Court shall, after notice to the parties concerned, determine who in his opinion is the proper person to be substituted or entered on the record in place of, or in addition to the party on record, and the name of such person shall thereupon be substituted or entered on the record:

Provided that no such order of substitution or revival shall be made by the Registrar.

(i) where a question arises as to whether any person is or is not the legal representative of the deceased party, or

(ii) where a question of setting aside the abatement of the cause is involved; and in such a case he shall place the matter before the Court for orders.

Provided further that where during the course of the proceedings it appears to the Registrar that it would be convenient for the enquiry that investigation in regard to the person who is to be substituted on record, be made by the Court appealed from or a Court subordinate thereto, the Registrar may place the matter before the Judge in Chambers and the Judge in Chambers may thereupon make an order directing the Court appealed from to investigate into the matter either itself or cause an enquiry to be made by a Court subordinate to it, after notice to the parties, and submit its report thereon to this Court within such time as may be fixed by the order. On receipt of the report from the Court below the matter shall be posted before the Judge in chambers again for appropriate orders.

34. Save as aforesaid the provision of Order XXII of the Code relating to abatement shall apply mutatis mutandis to appeals and proceedings before the Court.

¹⁵[35 to 37 Deleted.]

38. A respondent who has not entered appearance shall not be entitled to receive any notice relating to the appeal from the Register of the Court.

39. The appeal shall be set down for hearing one month after the ¹⁶[authentication of the record].

²[**40.** Within two weeks of the receipt of the notice setting down the appeal for hearing, the appellant shall attend at the Registry and obtain eight copies of the record to be bound in cloth or in one fourth leather with paper sides, and six leaves of blank paper shall be kept for the use of the Court. The front cover shall bear a label stating the title and Supreme Court number of the appeal, the contents of the volume and the name and address of the advocates-on-record. The several documents, indicated by inducts shall be arranged in the following order:

(1) Record (if in more than one part, showing the separate parts by inducts, all parts being paged at the top of the page);

(2) Supplemental Record (if any) and the short title and the Supreme Court number of appeal shall also be shown on the back.]

41. The appellant shall lodge the bound copies not less than ten clear days before the date fixed for the hearing of the appeal.

¹⁷[**42.** (1) Where the appellant is not represented by an Advocate of his choice, the Court may in a proper case, direct the engagement of an advocate *amicus curiae* at the cost of the State. The fee of the Advocate so engaged shall be a lump sum not exceeding Rs. 500/- as may be fixed by the Bench hearing the case, and in an appropriate case, the Bench hearing the case, may for the

reasons to be recorded in writing sanction payment of a lump sum not exceeding Rs. 750/- to the said Advocate.

(2) After the hearing of the appeal, the Registrar or the Deputy Registrar shall issue to the Advocate *amicus curiae* a certificate in the prescribed form indicating therein the name of the said Advocate engaged at the cost of the State and the amount of fees payable to the said Advocate.

(3) The State concerned shall pay the fees specified in the certificate issued under sub-rule (2) to the Advocate named therein within three months from the date of his presenting before it his claim for the fees supported by the certificate. If the fees are not paid within the above said period, the Advocate shall be entitled to recover the same from the State concerned by enforcement of the certificate as an order as to costs under the Supreme Court (Decrees and Orders) Enforcement Order, 1954.

Explanation:—For the purposes of this Rule the term “State” shall include a Union Territory.]

Order XVI

APPEALS BY SPECIAL LEAVE

1. Where leave to appeal to the Court was refused in a case by the High Court, a petition for special leave to appeal to the Court, shall subject to the provisions of Sections 4, 5, 12 and 14 of the Limitation Act, 1963 (36 of 1963) be lodged in the Court within sixty days from the date of the order of refusal and in any other case within ninety days from the date of the Judgment or order sought to be appealed from:

Provided that where an application for leave to appeal to the High Court from the Judgment of a single Judge of that Court has been made and refused, in computing the period of limitation in that case under this rule, the period from the making of that application and the rejection thereof shall also be excluded.

Explanation:—For purposes of this rule the expression ‘order of refusal’ means the order refusing to ¹⁸[grant the certificate under Article 134A of the Constitution being a certificate of the nature] referred to in Article 132 or Article 133 of the Constitution on merits and shall not include an order rejecting the application on the ground of limitation or on the ground that such an application is not maintainable.

2. Where the period of limitation is claimed from the date of the refusal of ¹[a certificate under Article 134A of the Constitution, being a certificate of the nature referred to in Article 132 or Article 133 of the Constitution], it shall not be necessary to file the order refusing the certificate, but the petition for special leave shall be accompanied by an affidavit stating the date of the Judgment sought to be appealed from, the date on which the application for certificate of fitness to appeal to the Court was made to the High Court, the date of the order refusing the certificate, and the ground or grounds on which the certificate was refused and in particular whether the application for the certificate was dismissed as being out of time.

¹⁹[3. Omitted.]

²⁰[4. (1) The petition shall state succinctly and clearly all such facts as may be necessary to enable the Court to determine whether special leave to appeal ought to be granted and shall be signed by the advocate on record for the petitioner unless the petitioner appears in person. The petition shall also state whether the petitioner has moved the High Court concerned for leave to appeal against its decision, and if so, with what result.

(2) No petition shall be entertained by the Registry unless it contains a statement as to whether the petitioner had filed any petition for special leave to appeal against the impugned judgment or order earlier and if so, with what result, duly supported by an affidavit of the petitioner or his Pairokar only.

(3) The Court shall, if it finds that the petitioner has not disclosed the fact of filing a similar petition earlier and its dismissal by this Court, dismiss the second petition if it is pending or, if special leave has already been granted therein, revoke the same.]

²¹[(4) The petition shall also contain a statement as to whether the matter was contested in the Court appealed from and if so, the full name and address of all the contesting parties shall be given in the statement of facts in the petition.

(5) The petition shall be accompanied by—

(i) a certified copy of the Judgment or order appealed from, and

(ii) an affidavit in support of the statement of facts contained in the petition.]

6. No annexures to the petition shall be accepted unless such annexures are certified copies of documents which have formed part of the record of the case in the Court sought to be appealed from; provided that uncertified copies of documents may be accepted as annexures if such copies are affirmed to be true copies upon affidavit.

7. The petitioner shall file at least seven spare sets of the petition and of the accompanying papers.

8. Where any person is sought to be impleaded in the petition as the legal representative of any party to the proceedings in the Court below, the petition shall contain a prayer for bringing on record such person as the legal representative and shall be supported by an affidavit setting out the facts showing him to be the proper person to be entered on the record as such legal representative.

9. Where at any time between the filing of the petition for special leave to appeal and the hearing thereof the record becomes defective by reason of the death or change of status of a party to the appeal or for any other reason, an application shall be made to the Court stating who is the proper person to be substituted or entered on the record in place of or in addition to the party on

record. Provisions contained in Rule 33 of Order XV shall apply to the hearing of such applications.

10. (1) Unless a caveat as prescribed by Rule 2 of Order XVIII has been lodged by the other parties, who appeared in the Court below, petitions for grant of special leave shall be put up for hearing *ex parte*, but the Court, if it thinks fit, may direct issue of notice to the respondent and adjourn the hearing of the petition.

Provided that where a petition for special leave has been filed beyond the period of limitation prescribed therefor and is accompanied by an application for condonation of delay, the Court shall not condone the delay without notice to the respondent.

(2) A caveator shall not be entitled to costs of the petition, unless the Court otherwise orders.

Where a caveat has been lodged as aforesaid notice of the hearing of the petition shall be given to the caveator; but a caveator shall not be entitled to costs of the petition unless the Court otherwise orders.

²²[(3) Notwithstanding anything contained in sub-rules (1) and (2) above, the respondents who contested the matter in the Court appealed from shall be informed about the decision on the petition after it is heard *ex parte*, if the petition stands dismissed].

²³[**10-A** (1) Where the petitioner is not represented by an Advocate of his choice, the Court may in a proper case direct the engagement of an Advocate *amicus curiae* at the cost of the State. The fees of the Advocate so engaged shall be Rs. 250/- up to the admission stage and a lump sum not exceeding Rs. 500/- for the hearing of the appeal arising therefrom as may be fixed by the Bench hearing the appeal, and in an appropriate case the Bench hearing the case may, for the reasons to be recorded in writing, sanction payment of a lump sum not exceeding Rs. 750/- to the said Advocate.

(2) After the hearing of the petition or the appeal, as the case may be, is over, the Registrar or the Deputy Registrar shall issue to the Advocate *amicus curiae* a certificate in the prescribed form, indicating therein the name of the said Advocate engaged at the cost of the State, and the amount of fees payable to the said Advocate.

(3) The State concerned shall pay the fees specified in the certificate issued under sub-rule (2) to the Advocate named therein within three months from the date of his presenting before it his claim for the fees supported by the certificate. If the fees are not paid within the period aforesaid, the Advocate shall be entitled to recover the same from the State concerned by enforcement of the certificate as an Order as to costs under the Supreme Court (Decrees and Orders) Enforcement Order, 1954.

Explanation:—For the purposes, of this rule, the term “State” shall include a Union Territory.]

11. On the grant of special leave, the petition for special leave shall, subject to the payment of additional Court-fee, if any, be treated as the petition of appeal and it shall be registered and numbered as such. The provisions contained in Order XV shall, with necessary modifications and adaptations, be applicable to appeals by special leave and further steps in the appeal shall be taken in accordance with the provisions therefor.

²⁴[**11-A** The record of the appeal arising out of the petition for special leave shall normally consist of the petition of appeal and the paper book of the Court below, if available, plus such additional documents that the parties may file from the record of the case, if the printed record of the Court below be not available. In that event, no fresh printing of the record shall be necessary, and the original record will be called for, from the Court below for reference of the Court:

Provided however, that where in a particular case the Court feels that fresh printing of record is necessary, a specific order to that effect shall be made by the Court at the time of granting special leave to appeal, the provisions contained in Order XV relating to preparation of record shall with necessary modification and adoption apply.]

²⁵[**12.** While granting special leave in all matters in which the Bench granting special leave is of the opinion that the matter is capable of being disposed of within a short time, say within an hour or two, it will indicate accordingly. The office shall maintain a separate register of such matters to enable the Chief Justice to constitute a Bench for the disposal of such matters.]

Order XVII

²⁶[APPEALS AND APPLICATIONS BY INDIGENT PERSON]

1. An application for leave to proceed as ²[an indigent person] shall be made on a petition. It shall be accompanied by:

(a) a copy of the petition of appeal and the documents referred to in Rule 3 of Order XV, or of the petition for special leave and the documents mentioned in Rule 5 of Order XVI, as the case may be; and

(b) an affidavit from the petitioner disclosing all the property to which he is entitled and the value thereof other than his necessary wearing apparel and his interest in the subject-matter of the intended appeal and stating that he is unable to pay Court-fees.

2. The Registrar shall, on satisfying himself that the petition is in order, direct that the petition shall be registered and set down for hearing before the Chamber Judge on a date to be fixed for the purpose.

3. The application shall be posted before the Judge in Chambers who may himself inquire into the ²⁷[indigency] of the petitioner after notice to the other parties in the case and to the Attorney-General, or make an order directing the High Court either by itself or by a Court subordinate to the High Court, to investigate the ¹[indigency] after notice to the parties interested and submit a report thereon within such time as may be fixed by the order. On receipt of the report, the petition shall again be posted before the Judge in Chambers for further orders:

Provided that if the applicant was allowed to sue or appeal as ¹[an indigent person] in the Court from whose decree the appeal is preferred, no further inquiry in respect of his ¹[indigency] shall be necessary, unless this Court sees cause to direct such inquiry.

4. In granting or refusing leave to appeal as ¹[an indigent person] the Court, shall ordinarily follow the principles set out in sub-rule (2) of Rule 1 of Order XLIV of the Code.

5. Where a petitioner obtains leave of the Court to appeal as ¹[an indigent person] he shall not be required to pay Court fees ²⁸[on the documents filed in the case or fees payable for service of process. He shall, however, be required to pay fees for obtaining copies of any documents or orders].

6. The Judge in Chambers may assign an advocate on record to assist ¹[an indigent person] in the case unless the ¹[indigent person] has made his own arrangement for his representation. Such assignment shall ordinarily be from a panel of advocates willing to assist ¹[indigent persons] and chosen by the Judge in Chambers. It shall however be open to the Judge in Chambers in his discretion to assign an advocate outside the panel in any particular case.

7. (a) No fees shall be payable by ¹[an indigent person] to his advocate, nor shall any such fees be allowed on taxation against the other party except by an order of Court. The advocate may, however, receive from the ¹[indigent person] money for out of pocket expenses, if any, properly incurred in the case.

(b) It shall be open to the Court, if it thinks fit, to award costs against the adverse party or out of the property decreed to ¹[an indigent person] and direct payment of such costs to the advocate for the ¹[indigent person].

(c) Save as aforesaid no person shall take or agree to take or seek to obtain from ¹[an indigent person] any fee, profit or reward for the conduct of his case, and any person who takes, agrees to take or seeks to obtain, any such fee, profit or reward, shall be guilty of Contempt of Court.

(d) Soon after ¹[an appeal by an indigent person] has been heard and disposed of, the advocate for the ¹[indigent person] shall file in the Registry a statement of account showing what moneys, if any, were received by him in the case on any account from the ¹[indigent person] or from any person on his behalf and the expenditure incurred. If no moneys had been received, a statement shall be filed to that effect. The Taxing Officer may, where he thinks it necessary, place the statement filed before the Judge in Chambers for his perusal and orders.

8. Where the appellant succeeds in the appeal, the Registrar shall calculate the amount of Court-fees which would have been paid by the appellant if he had not been permitted to appeal as ²⁹[an indigent person] and incorporate it in the decree or order of the Court; such amount shall be recoverable by the Government of India from any party ordered by the Court to pay the same, and shall be the first charge on the subject-matter of the appeal.

9. Where the appellant fails in the appeal or ¹[the permission granted to him to sue as an indigent person has been withdrawn], the Court may order the appellant to pay the Court-fees which would have been paid by him if he had not been permitted to appeal as ¹[an indigent person.]

10. The Central Government shall have the right at any time to apply to the Court to make an order for the payment of Court-fees under rule 8 or Rule 9.

³⁰[10. A. (1) Where the petitioner is not represented by an Advocate of his choice in any petition including a writ petition, civil or criminal, or any other cause, the Court may in a proper case, direct the engagement of an Advocate *amicus curiae* at the cost of the State. The fee of the Advocate so engaged shall be Rs. 250/- up to the admission stage and a lump sum of not exceeding Rs. 500/- for the final hearing of the case as may be fixed by the Bench hearing the case, and in an appropriate case, the Bench hearing the case may, for the reasons to be recorded in writing, sanction payment of a lump sum not exceeding Rs. 750/- to the said Advocate.

(2) After the hearing of the petition is over, the Registrar or Deputy Registrar shall issue to the Advocate *amicus curiae* a certificate in the prescribed form, indicating therein, the name of the advocate engaged at the cost of the State, and the amount of fees payable to the said Advocate.

(3) The State concerned shall pay the fees specified in the certificate issued under sub-rule (2) to the Advocate named therein within three months from the date of his presenting before it his claim for the fees supported by the certificate. If the fees are not paid within the period above-said, the Advocate shall be entitled to recover the same from the State concerned by enforcement of the certificate as an Order as to costs under the Supreme Court (Decrees and Orders) Enforcement Order, 1954.

Explanation—For the purpose of this rule the term ‘State’ shall include a Union Territory].

11. All matters arising between the Central Government and any party to the appeal under three preceding rules shall be deemed to be questions arising between the parties to the appeal.

12. In every ³¹[appeal by an indigent person] the Registrar shall, after the disposal thereof, send to the Attorney-General for India a memorandum of the Court-fees payable by the ¹[indigent person.]

13. No appeal or other proceeding begun, carried on or defended by ¹[an indigent person] shall be compromised or discontinued without the leave of the Court.

Order XVIII

PETITIONS GENERALLY

1. Every petition shall consist of paragraphs numbered consecutively and shall be fairly and legibly written, typewritten, lithographed or printed on one side of standard petition paper, demy-foolscap size, or of the size of 29.7 cm × 21 cm or on paper ordinarily used in High Courts for transcribing petitions, with quarter margin, and endorsed with the name of the Court appealed from, the full title and

Supreme Court number of the appeal or matter to which the petition relates and the name and address of the advocate on record of the petitioner or of the petitioner where the petitioner appears in person. The petitioner shall file alongwith his petition such number of copies thereof as may be required for the use of the Court.

2. Where a petition is expected to be lodged, or has been lodged, which does not relate to any pending appeal of which the record has been registered in the Registry of the Court, any person claiming a right to appear before the Court on the hearing of such petition may lodge a caveat in the matter thereof, and shall thereupon be entitled to receive from the Registrar notice of the lodging of the petition if at the time of the lodging of the caveat such petition has not yet been lodged and, if and when the petition has been lodged, to require the petitioner to serve him with copy of the petition and to furnish him, at his own expense, with copies of any papers lodged by the petitioner in support of his petition. The caveator shall forthwith after lodging his caveat, give notice thereof to the petitioner, if the petition has been lodged.

3. Where a petition is lodged in the matter of any pending appeal of which the record has been registered in the Registry of the Court, the petitioner shall serve any party who has entered an appearance in the appeal, with a copy of such petition and the party so served shall thereupon be entitled to require the petitioner to furnish him at his own expense, with copies of any papers lodged by the petitioner in support of his petition.

4. A petition other than memorandum of appeal containing allegations of fact which cannot be verified by reference to the record in the Court shall be supported by an affidavit.

5. The Registrar may refuse to receive a petition other than a petition under Article 332 of the Constitution on the ground that it discloses no reasonable cause or is frivolous, or contains scandalous matter but the petitioner may appeal, by way of motion, from such refusal to the Court.

6. As soon as all necessary documents are lodged, the petition shall be set down for hearing.

7. Subject to the provisions of Rule 8, the Registrar shall, as soon as the Court has appointed a day for the hearing of a petition, notify the day appointed on the notice board of the Court.

8. Where the prayer of a petition is consented to in writing by the opposite party, or where a petition is of a formal and non-contentious character, the Court may, if it thinks fit, make an order thereon without requiring the attendance of the parties, but the Registrar shall with all convenient speed, after the Court has made its order, notify the parties that the order has been made and of the date and nature of such order.

9. A petitioner who desires to withdraw his petition shall give notice in writing to that effect to the Registrar. Where the petition is opposed the opponent shall, subject to any agreement between the parties to the contrary, be entitled to apply to the Court for his costs, but where the petition is unopposed or where, in the case of an opposed petition, the parties have come to an agreement as to the costs of the petition, the petition may, if the Court thinks fit, be disposed of in the same way *mutatis mutandis* as a consent petition under the provisions of Rule 8.

10. Where a petitioner unduly delays the bringing of a petition to a hearing the Registrar shall call upon him to explain the delay, and if no explanation is offered, or if the explanation offered is, in the opinion of the Registrar, insufficient, the Registrar may, after notifying all parties, who have entered appearance, place the petition before the Court for such directions as the Court may think fit to give thereon.

11. At the hearing of a petition not more than one advocate shall be heard on one side.

Order XIX

HEARING OF APPEALS

1. Subject to the directions of the Court, at the hearing of an appeal not more than two advocates shall be heard on one side.

^v**[2.** Deleted.]

3. Where the Court after hearing an appeal, decides to reserve its judgment thereon, the Registrar shall notify the parties through their advocates on record of the day appointed by the Court for the delivery of the judgment.

4. (a) An appellant whose appeal has been dismissed for default of appearance may, within thirty days of the order, present a petition praying that the appeal may be restored and the Court may, after giving notice of such application to the respondent who has entered appearance in the appeal, restore the appeal if good and sufficient cause is shown, putting the appellant on terms as to costs or otherwise as it thinks fit, or pass such order as the circumstances of the case and the ends of justice may require.

(b) Where an appeal is heard *ex parte* and judgment is pronounced against the respondent, he may apply to the Court to re-hear the appeal, and if he satisfies the Court that the appeal was set down *ex parte* against him without notice to him or that he was prevented by sufficient cause from appearing when the appeal was called on for hearing the Court may re-hear the appeal on such terms as to costs or otherwise as it thinks fit to impose upon him.

Order XX

MISCELLANEOUS

1. The filing of appeal shall not prevent execution of the decree or order appealed against but the Court, may subject to such terms and conditions as it may think fit to impose, order a stay of execution of the decree or order, or order a stay of proceedings, in any case under appeal to the Court.

2. A party to an appeal m person shall furnish the Registrar with an address for service and all documents left at that address, or sent by registered post to that address, shall be deemed to have been duly served.

³³[3. In cases where intervention is allowed by the Court, the inter vener or interveners may file written submissions prior to the hearing of the matter but shall not be entitled to address any oral arguments, unless otherwise directed by the Court.]

³⁴Order XX-A

APPEALS UNDER SECTION 55 OF THE MONOPOLIES AND RESTRICTIVE TRADE PRACTICES ACT, 1969 (54 OF 1969)

1. The petition of appeal shall recite succinctly and clearly all the relevant facts leading up to the order appealed from, and shall set forth in brief the objections to the order appealed from and the grounds relied on in support of the appeal. The petition shall also state the date of the order appealed from as well as the date on which it was received by the appellant.

2. The petition of appeal shall be accompanied by:

(i) an authenticated copy of the order appealed from; and

(ii) at least seven spare sets of the petition and the papers filed with it.

3. After the appeal is registered, it shall be put up for hearing *ex parte* before the Court which may either dismiss it summarily or direct issue of notice to all necessary parties, or may make such orders as the circumstances of the case may require.

4. Within ten days of the receipt by it of the notice the Central Government or the Commission, as the case may be, shall transmit to the Court the entire original record relating to the order appealed from.

Preparation of Record

³⁵[5. After the receipt of the original record, the Registrar shall, with all convenient speed in consultation with the parties to the appeal, select the documents necessary and relevant for determining the appeal and cause sufficient number of copies of the said record to be typed or cyclostyled (if it is less than 100 pages) or printed at the expense of the appellant.]

6. (1) The record of the appeal shall be printed in accordance with the rules contained in the First Schedule to these rules.

(2) Save as otherwise provided by the rules contained in this Order the provisions of Order XV relating to the printing and preparation of record in civil appeals shall, as far as may be, apply to the printing and preparation of records in appeals under the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969).

7. Save as otherwise provided by the rules contained in this Order, the provisions of other Orders shall apply so far as may be, to appeals under Section 55 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969).

Order XX-B

APPEALS UNDER CLAUSE (b) OF SECTION 130-E OF THE
CUSTOMS ACT, 1962 (52 OF 1962) AND SECTION 35-L OF THE CENTRAL EXCISE AND SALT
ACT, 1944 (1 OF 1944)

1. The petition of appeal shall, subject to the provisions of Sections 4, 5 and 12 of the Limitation Act, 1963 (36 of 1963) be presented within sixty days from the date of the order sought to be appealed against or within sixty days from the date on which the order sought to be appealed against is communicated to the appellant, whichever is later:

Provided that in computing the said period, the time requisite for obtaining a copy of such order shall be excluded.

2. Rules 1 to 7 of Order XX-A of the rules relating to appeals under Section 55 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969) shall, with necessary modifications and adaptations, apply to appeals under this order.

Order XX-C

APPEALS UNDER SECTION 14 OF THE TERRORIST EFFECTED AREAS (SPECIAL COURTS)
ACT, 1984

1. The petition of Appeal shall, subject to the provisions of Sections 4, 5 and 12 of the Limitation Act, 1963 (36 of 1963) be presented within a period of thirty days from the date of judgment, sentence or order appealed from:

Provided that in computing the said period, the time requisite for obtaining, a copy of the said judgment, sentence or order, shall be excluded:

Provided further that the Supreme Court may entertain an appeal after the expiry of the said period of thirty days, if it is satisfied that the appellant has sufficient cause for not preferring the appeal within the period of thirty days.

2. The petition of appeal shall be registered and numbered as soon as it is found to be in order and the Registry shall immediately thereafter issue notice of lodgment of petition of appeal to the respondents with a copy to the Standing Counsel of the State concerned.

3. The notice of lodgment of petition of appeal shall specify the date fixed for hearing the appeal which shall be two weeks from the date of lodgment of the petition of appeal.

4. The Registry shall, immediately on the issue of the notice of lodgment of petition of appeal, ask the Special Court concerned to transmit to this Court within ten days the entire original record relating to the appeal.

5. The appeal shall be listed before the Court for final hearing at the top of the daily list on the date fixed irrespective of whether the State has entered appearance or not and whether the record has been received or not from the Special Court concerned.

6. The appeal shall be heard on the paper books filed by the Counsel. The original records shall be placed before the Court at the hearing of the appeal.

7. Save as otherwise provided by the rules contained in this Order, the provisions of Order XXI relating, to Criminal Appeals shall, as far as may be, apply to appeals filed under Section 14 of the Terrorist Affected Areas (Special Courts) Act, 1984.

³⁸Order XX-D

APPEALS UNDER SECTION 16 OF THE TERRORIST AND DISRUPTIVE ACTIVITIES (PREVENTION) ACT, 1985

1. The petition of appeal shall, subject to the provisions of Sections 4, 5 and 12 of the Limitation Act, 1963 (36 of 1963) be presented within a period of thirty days from the date of the judgment, sentence or order appealed from:

Provided that in computing the said period, the time requisite for obtaining a copy of the said judgment, sentence or order, shall be excluded:

Provided further that the Court may entertain an appeal after the expiry of the said period of thirty days, if it is satisfied that the appellant has sufficient cause for not preferring the appeal within the period of thirty days.

2. The petition of appeal shall be registered and numbered as soon as it is found to be in order and the Registrar shall immediately thereafter issue the notice of lodgment of the petition of appeal to the respondents with a copy to the Standing Counsel for the State concerned.

3. The notice of lodgment of petition of appeal shall specify the date fixed for the hearing of the appeal which shall be two weeks from the date of lodgment of the petition of appeal.

4. The Registrar shall, immediately on the issue of the notice of lodgment of petition of appeal, ask the Designated Court concerned to transmit to this Court within ten days the entire original record relating to the appeal.

³⁹[5. The paper book shall be prepared by the State concerned and filed within thirty days from the settlement of index and the appeal shall be heard on the paper books filed by the State Government. The original record shall be placed before the Court at the hearing of the appeal.]

6. The appeal shall be listed before the Court for final hearing at the top of the daily list on the date fixed irrespective of whether the State has entered appearance or not and whether the record has been received or not from the Designated Court concerned.

7. Save as otherwise provided by the rules contained in this Order, the provisions of Order XXI relating to the Criminal Appeals shall, as far as may be, apply to the appeals filed under this Order.

8. The Court shall hear and dispose of, under Section 17(3) of the Act, read with the provisions of Sections 366 to 371 and 392 of the Code of Criminal Procedure, 1973, a case submitted by a Designated Court for confirmation of the sentence of death awarded by such Designated Court.

Order XX-E

APPEALS UNDER SECTION 17 OF THE TERRORIST AND DISRUPTIVE ACTIVITIES
(PREVENTION) ACT, 1987

1. Rules 1 to 7 of the Order XX-D of the Rules, relating to the appeals under the Terrorist and Disruptive Activities (Prevention) Act, 1985, shall, with the necessary modifications and adaptations, apply to the appeals under this order.

2. The Court shall hear and dispose of, under Section 18(6) of the Terrorist and Disruptive Activities (Prevention) Act, 1987, read with the provisions of Sections 366 to 371 and 392 of the Code of Criminal Procedure, 1973, a case submitted by a Designated Court for confirmation of the sentence of death awarded by such Designated Court.

Order XX-F

APPEALS UNDER SECTION 23 OF THE CONSUMER
PROTECTION ACT, 1986 (68 OF 1986)

1. The petition of appeal from an order made by the National Consumer Disputes Redressal Commission (hereinafter referred to as 'The National Commission') under sub-clause (i) of clause (a) of Section 21 of the Consumer Protection Act, 1986 (68 of 1986) shall, subject to the provisions of Sections 4, 5 and 12 of the Limitation Act, 1963 (36 of 1963) be presented by an aggrieved person within thirty days from the date of the order sought to be appealed against:

Provided that computing the said period, the time requisite for obtaining a copy of such order shall be excluded.

2. The petition of appeal shall recite succinctly and clearly all the relevant facts leading up to the order appealed from, and shall set forth in brief the objections to the order appealed from and the grounds relied on in support of the appeal. The petition shall also state the date of the order appealed from as well as the date on which it was received by the appellant.

3. The petition of appeal shall be accompanied by:

(i) an authenticated copy of the order appealed from; and

(ii) at least seven spare sets of the petition and the papers filed with it.

4. After the appeal is registered, it shall be put for hearing *ex parte* before the Court which may either dismiss it summarily or direct issue of notice to all necessary parties or may make such orders as the circumstances of the case may require.

5. A fixed Court fee of Rs. 250/- shall be payable on the petition of appeal under this order.

6. Save as otherwise provided by the rules contained in this order, the provisions of other orders shall apply so far as may be, to appeals under Section 23 of the Consumer Protection Act, 1986 (68 of 1986).

(B) CRIMINAL APPEALS

Order XXI

SPECIAL LEAVE PETITIONS IN CRIMINAL PROCEEDINGS AND CRIMINAL APPEALS

Special Leave Petitions

1. (1) Where leave to appeal to the Court was refused in a case by the High Court, a petition for special leave to appeal shall, subject to the provisions of Sections 4, 5, 12 and 14 of the Limitation Act, 1963 (36 of 1963), be lodged in the Court within sixty days from the date of order of refusal and ⁴²[in any other case not involving sentence of death, within ninety days from the date of judgment or order sought to be appealed from and in a case involving sentence of death within sixty days from the date of judgment or order sought to be appealed from]:

Provided that where an application for leave to appeal to the High Court from the Judgment of single Judge of that Court has been made and refused, in computing the period of limitation in that case under this rule, the period from the making of that application and the rejection thereof shall also be excluded.

Explanation—For purposes of this rule the expression ‘order of refusal’ means an order refusing to grant ⁴³the certificate under Article 134-A of the Constitution, being a certificate of the nature referred to in Article 132 or Article 134, as the case may be, of ⁴⁴[the Constitution on merits and shall not include an order rejecting the application on the ground of limitation or on the ground that such an application is not maintainable.

(2) Where the period of limitation is claimed from the date of refusal of a certificate, it shall not be necessary to file the order refusing a certificate, but the petition for special leave shall be accompanied by an affidavit stating the date of the Judgment sought to be appealed from, the date on which the application for a certificate was made to the High Court, the date of the order refusing the certificate and the ground or grounds on which the certificate was refused and in particular whether the application for a certificate was dismissed as being out of time.

⁴⁵[2. Omitted.]

3. ⁴⁶[(1) The petition shall state succinctly and clearly all such facts as may be necessary to enable the Court to determine whether special leave to appeal ought to be granted and shall be signed by

the advocate on record for the petitioner unless the petitioner appears in person. The petition shall also state whether the petitioner has moved the High Court concerned for leave to appeal against its decision, and if so, with what result.

(2) No petition shall be entertained by the Registry unless it contains a statement as to whether the petitioner had filed any petition for special leave to appeal against the impugned Judgment or order earlier, and if so, with what result, duly supported by an affidavit of the petitioner or his pairokar only.

(3) The Court shall, if it finds that the petitioner has not disclosed the fact of filing a similar petition earlier and its dismissal by this Court, dismiss the second petition if it is pending or if special leave has already been granted therein, revoke the same.

(4) The petition shall be accompanied by:

(1) a certified copy of the judgment or order appealed from; and

(2) an affidavit in support of the statement of facts contained in the petition.]

5. (1) No annexures to the petition shall be accepted unless such annexures are certified copies of documents which have formed part of the record in the Court or Tribunal sought to be appealed from provided that uncertified copies of documents may be accepted as annexures if such copies are affirmed to be true copies upon affidavit.

(2) The High Court or the Tribunal concerned shall, on application by a petitioner intending to apply for special leave grant him free of cost a certified copy of the Judgment or order sought to be appealed from.

6. Where the petitioner has been sentenced to a term of imprisonment, the petition shall state whether the petitioner has surrendered. Where the petitioner has not surrendered to the sentence, the petition shall not be posted for hearing unless the Court, on a written application for the purpose, orders to the contrary. ⁴²[Where the petition is accompanied by an application for exemption from surrendering, that application alone shall be posted for hearing orders before the Court in the first instance.]

7. Unless a caveat as prescribed by Rule 2 of Order XVIII has been lodged by the other parties who appeared in the Court below, petitions for grant of special leave shall be put up for hearing *ex parte*, but the Court, if it thinks fit, may direct issue of notice to the respondent and adjourn the hearing of the petition.

8. (1) If the petitioner is in jail and is not represented by an advocate on record he may present his petition for special leave to appeal together with the certified copy of the judgment and any written argument which he may desire to advance to the officer-in-charge of the jail, who shall forthwith forward the same to the Registrar of this Court. Upon receipt of the said petition, the Registrar of the Court shall, whenever necessary call, from the proper officer of the Court or the

Tribunal appealed from, the relevant documents for determination of the petition for special leave to appeal.

(2) As soon as all necessary documents are available the Registrar shall, assign an Advocate from a panel of *amicus curiae* and thereafter place the petition and complete documents for hearing before the Court. ²[The fee of the advocate so engaged shall be Rs. 250/- up to the admission stage and a lump sum not exceeding Rs. 500/- for the hearing of the appeal arising therefrom, as may be fixed by the Bench hearing the appeal, and in an appropriate case, the Bench hearing the case may for the reasons to be recorded in writing, sanction payment of a lump sum not exceeding Rs. 750/-.]

⁴⁸[*Explanation*:—For the purpose of this rule, the term “State” shall include a Union Territory.]

⁴⁹(3) After the hearing of the petition or the appeal, as the case may be, is over, the Registrar or the Deputy Registrar shall issue to the Advocate *amicus curiae* a certificate in the prescribed form indicating therein the name of the said Advocate engaged at the cost of the State concerned and the amount of fees payable to the said advocate.

(4) The State concerned shall pay the fees specified in the certificate issued under sub-rule (3) to the Advocate named therein within three months from the date of his presenting before it his claim for the fees supported by the certificate. If the fees are not paid within the period above-said, the Advocate shall be entitled to recover the same from the State concerned by enforcement of the certificate as an order as to costs under the Supreme Court (Decrees and Orders) Enforcement Order, 1954.

Explanation:—For the purposes of this rule the term “State” shall include a Union Territory.]

9. On the granting of the special leave, the petition for special leave shall be treated as the petition of appeal and shall be registered and numbered as such.

⁵⁰**9-A.** While granting special leave, in all matters in which the Bench granting special leave is of the opinion that the matter is capable of being disposed of within a short time, say, within an hour or two, it will indicate accordingly. The office shall maintain a separate register of such matters to enable the Chief Justice to constitute a Bench for the disposal of such matters.]

10. Upon an order being made granting special leave to appeal, the Registrar shall transmit to the Court appealed from, a certified copy of the order together with a certified copy of the petition for special leave, and the affidavit, if any, filed in support thereof.

11. On receipt of the said order, the Court appealed from shall give notice of the order to the respondent and require the parties to take all necessary steps to have the record of the case transmitted to the Court in accordance with the directions contained in the order granting special leave. The Registrar of the Court appealed from shall certify to the Registrar of the Court that the respondent has received notice of the order of the Court granting special leave to appeal.

Criminal Appeals

12. ^{s1}[Every criminal appeal in which a certificate of the nature referred to in clause (1) of Article 132 or sub-clause (c) of clause (1) of Article 134 has been granted under Article 134-A of the Constitution] shall be lodged in the Court within sixty days from the date of the certificate granted by the High Court, and every appeal under Article 134(1)(a) and (b) of the Constitution or under any other provision of law within sixty days from the date of the Judgment, final order or sentence appealed from:

Provided that in computing the period, the time requisite for obtaining a copy of the judgment or order appealed from, and where the appeal is on a certificate, of the certificate, and the order granting the certificate shall be excluded:

Provided further that the Court may, for sufficient cause shown extend the time.

13. (1) The memorandum of appeal shall be in the form of a petition. It shall state succinctly and briefly, and as far as possible, in chronological order, the principal steps in the proceedings from its commencement till its conclusion in the High Court.

^{s2}(2) The petition of appeal shall be accompanied by a certified copy of the judgment or order appealed from and in the case of an appeal on a certificate also of the certificate granted by the High Court, and of the order granting the said certificate. In appeals falling under any of the categories enumerated in sub-rule (1) of Rule 15, however, in addition to the documents mentioned above, a certified copy (or uncertified copy if such copy is affirmed to be true copy upon affidavit) of the judgment or order of the Court immediately below shall also be filed before the appeal is listed for hearing *ex parte*. At least seven copies of the aforesaid documents shall be filed in the Registry.]

^{s3}[**13A.** Where the appellant has been sentenced to a term of imprisonment, the petition of appeal shall state whether the appellant has surrendered. Where the appellant has not surrendered to the sentence, the appeal shall not be registered, unless the Court, on a written application for the purpose, orders to the contrary. Where the petition of appeal is accompanied by such an application, the application shall first be posted for hearing before the Court for orders.]

14. Where the appellant is in jail, he may present his petition of appeal and the documents mentioned in Rule 13 including any written argument which he may desire to advance to the officer-in-charge of the jail, who shall forthwith forward the same to the Registrar of the Court.

¹[**15.** (1) The petition of appeal shall be registered and numbered as soon as it is ^{s4}[found to be in order]. Each of the following categories of appeals, on being registered, shall be put for hearing *ex parte* before the Court, which may either dismiss it summarily or direct issue of notice to all necessary parties, or may make such orders, as the circumstances of the case may require, namely:

(a) an appeal from any judgment, final order or sentence in a criminal proceeding of a High Court summarily dismissing the appeal or the matter, as the case may be before it;

(b) an appeal on a certificate granted by the High Court ³[under Article 134A of the Constitution being a certificate of the nature referred to in clause (1) of Article 132 or sub-clause (c) of clause (1) of Article 134 of the Constitution or] under any other provision of law if the High Court has not recorded the reasons or the grounds for granting the certificate.

⁵⁵[(c) Deleted.

(d) Deleted.]

⁵⁶[(e) an appeal under clause (b) of sub-section (1) of Section 19 of Contempt of Courts Act, 1971 (70 of 1971).]

(2) On the registration of the appeal and in the appeals falling under sub-rule (1) as soon as notice is directed to be issued, the Registrar shall send a copy of the petition of appeal and the accompanying papers, if any, to the High Court or the Tribunal concerned; and shall cause notice of the appeal to be given, where the appeal is by a convicted person to the Attorney-General for India or to the Advocate-General or the Government Advocate of the State concerned, or to both as the case may require, and in cases where the appeal is by the Government to the accused and in cases under Section 467B of the Code of Criminal Procedure, 1898 to the respondent.]

16. The respondent may enter appearance in the Court within thirty days of the service of the notice of lodgment of the petition of appeal on him.

Preparation of the Record

17. The record of the appeal shall be printed in accordance with the rules contained in the First Schedule to these rules, and unless otherwise by the Court, it shall be printed under the supervision of the Registrar of this Court and at the expense of the appellant. In appeals involving sentence of death and in other cases in which the Court thinks fit so to direct the record shall be printed at the expense of the State concerned.

⁵⁷[**17-A.** The record of appeal arising out of the petition for special leave to appeal shall normally consist of the petition of appeal and the paper-book of the Court below, if available plus such additional documents that the parties may file from the record of the case, if the printed record of the Court below be not available. In that event, no fresh printing of the record shall be necessary, and the original record will be called for, from the Court below for reference of the Court:

Provided, however, that where the records are printed for the purpose of the appeal before the High Court, the High Court prepare 10 extra copies in addition to the number of copies required by the High Court for use in the Court, if the said record be in English:

Provided further that where in a particular case the Court feels that fresh printing of record is necessary, a specific order to that effect shall be made by the Court at the time of granting special leave to appeal, and the provisions contained in Order XV relating to preparation of record shall with necessary modification and adaptation apply.]

18. (1) Save as otherwise provided for in the rules, the provisions contained in Order XV relating to the printing and preparation of the record in civil appeals shall with necessary modifications and adaptations apply to the printing and preparation of records in Criminal Appeals.

⁵⁸[(2) In all cases where the record has been printed for the purposes of the appeal before the High Court or other proceedings all available copies of the printed record except one, if the record be in English, shall be despatched to this Court along with the entire original record including the records of the Court below. One of such copies shall be duly authenticated by the Registrar of the Court appealed from.

(3) If a minimum number of 5 copies of the said printed record is available no fresh printing of the record shall be necessary except of such additional papers as may be required.

Explanation:—For the purposes of this rule the original record shall not include judgments of the High Court and the Courts below, but only duly authenticated copies thereof.

Explanation:—Printing for the purpose of this rule includes cyclostyling and typing and printed record includes cyclostyled or typed record.

(4) Two copies of the High Court paper book if available for despatch to this Court shall be treated as transcript record for the purpose of printing in this Court. In that event only such of the additional documents as the parties choose to include for the hearing of the appeal in this Court shall be typed in duplicate and transmitted to this Court along with the High Court paper books, one copy of each of which shall be duly authenticated.

(5) For the purpose of transcript record proper of the appeal, to be laid before this Court, such of the documents in vernacular as have already been translated for the purpose of the High Court appeal and which are included in the High Court appeal paper book need not be translated again.]

19. Where the appellant fails to take necessary steps to have the record prepared and transmitted to the Court with due diligence, the Registrar of the Court appealed from shall report the default to the Registrar of this Court and the Registrar of this Court may thereupon issue a summons to the appellant calling upon him to show cause before the Court on a date to be specified in the summons why the appeal should not be dismissed. The Court may thereupon dismiss the appeal for non-prosecution or pass such orders as the justice of the case may require.

20. Where an appeal has been dismissed for non-prosecution, the appellant may, within thirty days of the order, present a petition praying that the appeal may be restored and the Court may, after giving notice of the application to the respondent, if he has entered appearance, restore the appeal if good and sufficient cause is shown.

21. (1) In the event of the Court ordering the printing of the record under the supervision of the Registrar of the Court appealed from, he shall despatch to the Registrar of this Court unless otherwise directed by this Court, not less than 15 copies where the appeal raises a question as to the interpretation of the Constitution, and not less than 10 copies in other cases. In the event of

the Record being printed in this Court the Registrar will fix the number of copies to be printed for the use of this Court.

(2) In all cases involving a sentence of death the printed record shall be made ready and despatched to this Court within a period of 60 days after the receipt of the intimation from the Registrar of this Court of the filing of the petition of appeal or of the order granting special leave to appeal.

22. As soon as the record is ready the Registrar concerned shall give notice thereof to the parties to the appeal, and where the record is prepared under the supervision of the Registrar of the Court appealed from the said Registrar shall after service of the notice, send to the Registrar of this Court a certificate as to the date or dates on which the notice has been served.

Hearing of the Appeal

23. Each party who has entered appearance shall be entitled to two copies of the record for his own use.

24. Unless otherwise ordered by the Court the appeal shall be set down for hearing thirty days after the expiry of the time prescribed for entering appearance by the respondent.

²⁰**25.** Where the accused person is not represented by an Advocate on Record of his choice the Court may, in a proper case direct the engagement of an Advocate at the cost of the Government. The fee of the Advocate so engaged shall be a lump sum not exceeding Rs. 500/- as may be fixed by the Bench hearing the case, and in an appropriate case the Bench hearing the case may, for the reasons to be recorded in writing, sanction payment of a lump sum not exceeding Rs. 750/-.

25-A. (1) After the hearing of the appeal, the Registrar or the Deputy Registrar shall issue to the Advocate appointed at the cost of the State a certificate in the prescribed form indicating therein the name of the said Advocate and the amount of fees payable to the said Advocate.

(2) The State concerned shall pay the fees specified in the certificate issued under sub-rule (1) to the Advocate named therein within three months from the date of his presenting before it his claim for the fee supported by the said certificate. If the fees are not paid within the period abovesaid, the Advocate shall be entitled to recover the same from the State concerned by the enforcement of the certificate as an Order as to costs under the Supreme Court (Decrees and Orders) Enforcement Order, 1954.

Explanation:—For the purposes of this rule, the term “State” shall include a Union Territory.]

26. (1) Due notice shall be given to the accused, where he is not represented, of the date fixed for the hearing of the appeal. The accused person may, if he so wishes present his case by submitting his arguments in writing and the same shall be considered at the hearing of the appeal.

(2) It shall not be necessary for an accused person in custody to be produced before the Court at the hearing unless the Court thinks fit in the interest of justice to direct him to be produced to enable him to argue his case or for other reasons.

27. Pending the disposal of any appeal under these rules the Court may order that the execution of the sentence or order appealed against be stayed on such terms as the Court may think fit.

28. After the appeal has been disposed of, the Registrar shall, with the utmost expedition, send a copy of the Court's judgment or order to the High Court or Tribunal concerned.

29. In criminal proceedings, no Court-fee, process fee, or search fee shall be charged, and an accused person shall not be required to pay copying charges except for copies other than the first.

1. Rules amended by Delhi High Court *vide* Notification No. 124/Rules dated 20-5-1975.

2. Amended by Notification No. 124/Rules, dated 20-5-1975 of Delhi High Court.

3. Substituted *vide* G.S.R. 506 dated 21-5-1981 (w.e.f. 30-5-1981).

4. Inserted *vide* G.S.R. 705 dated 8-5-1971 (w.e.f. 1-7-1971).

5. Substituted *vide* G.S.R. 705 dated 8-5-1971 (w.e.f. 1-7-1971).

6. Added *vide* G.S.R. 705 dated 8-5-1971 (w.e.f. 1-7-1971).

7. Deleted *vide* G.S.R. 506 dated 21-5-1981 (w.e.f. 30-5-1981).

8. Substituted *vide* G.S.R. 506 dated 21-5-1981 (w.e.f. 30-5-1981).

9. Inserted *vide* G.S.R. 1024 dated 9-8-1978 (w.e.f. 19-8-1978).

10. Deleted *vide* G.S.R. 466 dated 22-6-1983 (w.e.f. 2-7-1983).

11. Substituted *vide* G.S.R. 466 dated 22-6-1983 (w.e.f. 2-7-1983).

12. Substituted *vide* G.S.R. 705 dated 8-5-1971 (w.e.f. 1-7-1971).

13. Inserted *vide* G.S.R. 189(E) dated 15-3-1991 (w.e.f. 30-3-1991).

14. Substituted *vide* G.S.R. 189(E) dated 15-3-1991 (w.e.f. 30-3-1991).

15. Deleted *vide* G.S.R. 466 dated 22-6-1983 (w.e.f. 2-7-1983).

16. Substituted *vide* G.S.R. 466 dated 22-6-1983 (w.e.f. 2-7-1983).

17. Added *vide* G.S.R. 541 dated 26-6-1987 (w.e.f. 18-7-1987).

18. Substituted *vide* G.S.R. 506 dated 21-5-1981 (w.e.f. 30-5-1981).

19. Omitted *vide* G.S.R. 1024 dated 9-8-1978 (w.e.f. 19-8-1978).

- [20.](#) Substituted vide G.S.R. 995 dated 8-12-1982 (w.e.f. 25-12-1982).
- [21.](#) Inserted vide G.S.R. 189(E) dated 15-3-1991 (w.e.f. 30-3-1991).
- [22.](#) Inserted vide G.S.R. 189 dated 15-3-1991 (w.e.f. 30-3-1991).
- [23.](#) Added vide G.S.R. 541 dated 26-6-1987 (w.e.f. 18-7-1987).
- [24.](#) Added vide G.S.R. 189 dated 15-3-1991 (w.e.f. 30-3-1991).
- [25.](#) Inserted vide G.S.R. 387 dated 13-3-1978 (w.e.f. 18-3-1978).
- [26.](#) Substituted vide G.S.R. 994 dated 8-12-1982 (w.e.f. 25-12-1982).
- [27.](#) Substituted vide G.S.R. 994 dated 8-12-1982 (w.e.f. 25-12-1982).
- [28.](#) Substituted vide G.S.R. 466 dated 22-6-1983 (w.e.f. 2-7-1983).
- [29.](#) Substituted vide G.S.R. 994 dated 8-12-1982 (w.e.f. 25-12-1982).
- [30.](#) Added vide G.S.R. 994 dated 26-6-1987 (w.e.f. 18-7-1987).
- [31.](#) Substituted vide G.S.R. 994 dated 8-12-1982 (w.e.f. 25-12-1982).
- [32.](#) Deleted vide G.S.R. 466 dated 22-6-1983 (w.e.f. 2-7-1983).
- [33.](#) Inserted vide G.S.R. No. 14 dated 3-1-1984 (w.e.f. 14-1-1984).
- [34.](#) Order XX-A inserted vide G.S.R. 73 dated 7-1-1971 (w.e.f. 16-1-1971).
- [35.](#) Substituted vide G.S.R. 189 dated 15-3-1991 (w.e.f. 30-3-1991).
- [36.](#) Order XX-B inserted vide G.S.R. 322 dated 14-4-1983 (w.e.f. 23-4-1983).
- [37.](#) Order XX-C inserted vide G.S.R. 96(E) dated 16-2-1987 (w.e.f. 16-2-1987).
- [38.](#) Order XX-D inserted vide G.S.R. 541 dated 26-6-1987 (w.e.f. 18-7-1987).
- [39.](#) Substituted vide G.S.R. 821 dated 22-9-1987 (w.e.f. 7-11-1987).
- [40.](#) Order XX-E inserted vide G.S.R. 821 dated 22-9-1987 (w.e.f. 7-11-1987).
- [41.](#) Order XX-F inserted vide G.S.R. 409 dated 3-7-1990 (w.e.f. 7-7-1990).
- [42.](#) Substituted vide G.S.R. 446 dated 22-6-1983 (w.e.f. 2-7-1983).

- [43](#). Substituted vide G.S.R. 506 dated 21-5-1986 (w.e.f. 30-5-1981).
- [44](#). Substituted vide G.S.R. 506 dated 21-5-1986 (w.e.f. 30-5-1981).
- [45](#). Omitted vide G.S.R. 1024 dated 9-8-1978 (w.e.f. 19-8-1978).
- [46](#). Substituted vide G.S.R. 995 dated 8-12-1982 (w.e.f. 25-12-1982).
- [47](#). Substituted vide G.S.R. 541 dated 26-6-1987 (w.e.f. 18-7-1987).
- [48](#). Added vide G.S.R. 2746 dated 6-12-1969 (w.e.f. 13-12-1969).
- [49](#). Added vide G.S.R. 541 dated 26-6-1987 (w.e.f. 18-7-1987).
- [50](#). Inserted vide G.S.R. 387 dated 13-3-1978 (w.e.f. 18-3-1978).
- [51](#). Substituted vide G.S.R. 506 dated 21-5-1981 (w.e.f. 30-5-1981).
- [52](#). Substituted vide G.S.R. 705 dated 8-5-1971 (w.e.f. 1-7-1971).
- [53](#). Inserted by G.S.R. 466 dated 22-6-1983 (w.e.f. 2-7-1983).
- [54](#)3. Substituted vide G.S.R. 506 dated 21-5-1981 (w.e.f. 30-5-1981).
- [55](#). Deleted vide G.S.R. 506 dated 21-5-1981 (w.e.f. 30-5-1981).
- [56](#). Amended vide G.S.R. 96(E) dated 16-2-1987 (w.e.f. 16-2-1987).
- [57](#). Added vide G.S.R. 189(E) 15-3-1991 (w.e.f. 30-3-1991).
- [58](#). Added vide G.S.R. 189(E) dated 15-3-1991 (w.e.f. 30-3-1991).
- [59](#). Substituted vide G.S.R. 541 dated 26-6-1987 (w.e.f. 18-7-1987).