

## CHAPTER 9

### Miscellaneous

#### Part A

#### RULES FOR THE DISPOSAL OF EXECUTIVE AND ADMINISTRATIVE BUSINESS

**1. Administrative Business**—The Honourable the Chief Justice shall be in control of the administrative and executive work of the High Court and its distribution amongst the Honourable Judges.

**2. Matters which shall be disposed of at a Judge's meeting**—Notwithstanding anything contained in the preceding Rule, the following matters shall invariably be taken up and disposed of at a meeting of the Honourable Judges:

- (i) All matters involving question of principle and policy;
- (ii) All cases relating to amendment to be made to existing laws or to the statutory rules of the Court;
- (iii) All matters concerning the High Court as such or all the Honourable Judges;
- (iv) All matters on which the opinion of all the Honourable Judges is invited by Government;
- (v) The suspension of Subordinate Judges and District and Sessions Judges;
- (vi) The promotion of Subordinate Judges and District and Sessions Judges, in cases where it is proposed to pass over an officer;
- (vii) Recommendations for the grant of pensions to Subordinate Judges and District and Sessions Judges, where it is proposed to recommend that the full pension earned be not allowed.
- (viii) Annual confedintal remarks on the work of District and Sessions Judges.
- (ix) Any other matter which may be referred by the Honourable the Chief Justice to a meeting of the Honourable Judges.

## COMMENTS

Reference in the Chapter 9-A to the 'High Court, the Hon'ble Judges of the High Court and Chief Justice' clearly indicates that where the term 'High Court' was used, it may mean the High Court but subject to the power of the Chief Justice to transact business as the administrative head of the High Court and where the references are to the Hon'ble Judges, it is for all the Judges in a meeting and some of the functions referred to in Rule 2 of the said Chapter have to be transacted in the meeting of the Hon'ble Judges.

**3. Referring a matter to Judges' meeting**—The Honourable Judge placed in charge of any branch of the executive or administrative business of the Court may refer any matter relating to that branch to a meeting of the Honourable Judges.

**4. Holding of Judges' meetings**—Meeting of all the Honourable Judges shall be called by Honourable the Chief Justice when there is business for such meetings.

**5. Quorum of Judges' meeting**—At all meetings of Honourable Judges, three Judges shall form a quorum. The Honourable Judges present at a meeting, if three or more, may dispose of all the business, for the disposal or consideration of which such meeting was called, and such disposal shall be deemed to be disposal by the Court.

**6. Mode of decision in case of difference of opinion**—In case of difference of opinion at a meeting the decision shall be in accordance with the opinion of the majority of the Honourable Judges present, and in case the Honourable Judges present, be equally divided the Honourable the Chief Justice or in his absence the Senior Judge present, shall have a casting vote.

**7. Record of proceedings of Judges' meetings**—The Registrar or in his absence the Deputy Registrar, shall attend all Judges' Meetings, and shall record the proceedings at such meetings.

**8. Circulation of proceedings of Judges' meetings**—As soon as conveniently may be, after the proceedings of a meeting have been recorded and signed by the Registrar or Deputy Registrar, as the case may be, they shall be signed by the Honourable the Chief Justice and circulated to the Honourable Judges in order of juniority.

**9. Custody of proceedings of Judges' meetings**—The original proceedings of the meeting shall be kept in the General Record Room in a separate file and shall not be removed from the Court building except by the Registrar with the sanction of the Honourable the Chief Justice.

**10. Delegation of powers to Registrar or Deputy Registrar**—The Honourable the Chief Justice may empower any person holding the post of Registrar or Deputy Registrar of the High Court by name, to perform all or any of the duties of a Judge in charge of any branch of the executive and administrative business of the Court.

**11. Administrative business during vacation**—During the vacation the administrative and executive work of the High Court may be carried out by the senior Vacation Judge present at the Court, who may in his discretion pass such orders as may be necessary; provided that any matters decided by a Vacation Judge under this Rule, which would otherwise fall for decision by all the Honourable Judges or by the Honourable the Chief Justice shall be referred to all the

Honourable Judges or the Honourable the Chief Justice, as the case may be for confirmation after the vacations.

Part B  
PROCEDURE FOR MAKING RULES UNDER PART X OF THE  
CODE OF CIVIL PROCEDURE

- 1. Registrar shall order minutes of the Rule Committee to be placed before Judges' meeting**—As soon as the minutes of a meeting of a Rule Committee have been signed, the Registrar (who is also the Secretary of the Rule Committee), shall endorse upon them an order that a copy be placed before a meeting of the Judges on a meeting of the Judges on a specified date.
- 2. Procedure when Registrar omits to pass such an order**—In the event of the minutes of the Rule Committee reaching the office without such an endorsement, the attention of the Registrar shall be drawn to the omission forthwith.
- 3. Registrar shall cause the Rules framed to be published in Gazettes inviting objections**—If the Judges decide that the recommendations are to be accepted and a Rule made, the Registrar shall cause the rule, in the form in which it has been framed by the Judges to be published for objections in the Punjab Gazette and in the Delhi Gazette/Gazette of India (for the Union Territory of Delhi).
- 4. Rules with objections shall be laid before Judges' meeting**—On the termination of the period fixed for objections, the Registrar shall again lay the Rule, with objections, if any, before a meeting of the Judges.
- 5. Sanction of the Punjab and Delhi Governments to be obtained**—If the Judges decide to make the rule, the Registrar shall apply simultaneously to the Punjab Government and the Government of India (as the Government for the Union Territory of Delhi) for the approval of the rule in the form in which it has been framed.
- 6. Sanctioned rule to be published in Gazettes**—When the approval of these Governments has been received the Registrar shall cause the rule to be published in the Punjab Gazette and in the Delhi Gazette/Gazette of India (for the Union Territory of Delhi). If the rule has been approved by the two Governments in different forms and the High Court has no objection to the changes proposed, the Registrar shall cause the rule to be published in the Gazettes of Punjab Government and Government of India in the forms approved by the respective Governments.
- 7. Sanctioned rule to be inserted in Rules and Orders of the High Court etc.**—After publication in the Gazette a correction slip (a) to the Rules and Orders of the High Court and (b) to the pamphlet entitled “Rules made by the Punjab High Court under Section 122 of the Code of Civil Procedure (1956 edition)” shall be prepared and issued according to the form approved by the Punjab Government. If the rule has been approved in a different form for the Union territory of Delhi, a note to that effect shall be added in the correction slip.

## APPENDIX

### LETTERS PATENT CONSTITUTING THE HIGH COURT OF JUDICATURE AT LAHORE DATED THE 21ST MARCH, 1919

GEORGE the FIFTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India, to all to whom these Presents shall come, greeting: Whereas by an Act of Parliament passed in the Fifth and Sixth years of Our Region and called the Government of India Act, 1915, it was amongst other things enacted that it should be lawful for us by Letters Patent to establish a High Court of Judicature in any territory in British India whether or not included within the limits of the local jurisdiction of another High Court and to confer on any High Court so established any such jurisdiction, powers and authority as were vested in or might be conferred on any High Court existing at the commencement of that Act.

And whereas the Provinces of the Punjab and Delhi are now subject to the jurisdiction of the Chief Court of the Punjab which was established by an Act of the Governor-General of India in Council, being Act No. XXIII of 1865, and was continued by letter enactments and no part of the said Province is included within the limits of the local jurisdiction of any High Court.

**1. Establishment of High Court at Lahore**—Now know ye that We, upon full consideration of the premises, and of our special grace, certain knowledge, and mere motion, have thought fit to erect and establish, and by these presents we do accordingly for Us, Our heirs and successors, erect and establish, for the Provinces of the Punjab and Delhi aforesaid, with effect from the date of the Publication of these presents in the *Gazette of India* a High Court of Judicature, which shall be called the High Court of Judicature at Lahore, and We do hereby constitute the said Courts to be a Court of Record.

**2. Constitution and first Judge of the High Court**—And We do hereby appoint and ordain that the High Court of Judicature at Lahore shall, until, further or other provision be made by Us, or Our heirs and successors, in that behalf in accordance with section one hundred and one of the said recited Government of India Act, 1915, consists of a Chief Justice and six other Judges, the first Chief Justice being Sir Henry Adolphus Rattigan, Knight, and the six other Judges being William Chevis, Esquire, Henry Scott-Smith, Esquire, Shadi Lal, Esquire, *Rai Bahadur*, Walter Aubin le Rossignol Esquire, Leycester Hudson Leslie Jones, Esquire, and Alan Brice Broadway, Esquire, being respectively qualified as in the said Act is declared.

**3. Declaration to be made by Judges**—And we do hereby ordain that the Chief Justice and ever other Judge of the High Court of Judicature at Lahore previously to entering upon the execution of the duties of his office, shall make and subscribe the following declaration before such authority or person as the Lieutenant-Governor of the Punjab may commission to receive it—

“I, A. B. appointed Chief Justice (or Judge) of the High Court of Judicature at Lahore, do solemnly declare that I will faithfully perform the duties of my office to the best of my ability, knowledge and judgment.”

**4. Seal**—And we do hereby grant, ordain and appoint that the High Court of Judicature at Lahore, shall have and use, as occasion may require, a seal bearing advice and impression of Our Royal arms, within an exergue or label surrounding the same, with this inscription, “The Seal of the High Court at Lahore,” and we do further grant, ordain and appoint that the said seal shall be delivered to and kept in the custody of the Chief Justice, and in case of vacancy of the office of Chief Justice, or during any absence of the Chief Justice, the same shall be delivered over and kept in the custody of the person appointed to act as Chief Justice under the provisions of Section of the Government of India Act, 1915, and We do further grant, ordain and appoint that, whensoever the office of the Chief Justice or of the Judge to whom the custody of the said seal be committed is vacant, the said High Court shall be, and is hereby authorized and empowered to demand, seize and take the said seal from any person or persons whomsoever, by what ways and means soever the same may have come to his, her or their possession.

**5. Writs, etc., to issue in name of the Crown, and under seal**—And we do hereby further grant, ordain and appoint that all writs, summonses, precepts, rules, orders and other mandatory process to be used, issued or awarded by the High Court of Judicature at Lahore shall run and be in the name and style of Us, or of Our heirs and successors, and shall be sealed with the sale of the said High Court.

**6. Appointment of officers**—And we do hereby authorize and empower the Chief Justice of the High Court of Judicature at Lahore from time to time, as occasion may require, and subject to any rules and restrictions which may be prescribed from time to time by the Lieutenant-Governor of the Punjab to appoint so many and such clerks and other ministerial officers as may be found necessary for the administration of the justice and the due execution of all the powers and authorities granted and committed to the said High Court by these Our Letters Patent. And it is Our further will and pleasure. And we do hereby for Us, Our heirs and successors, give, grant, direct and appoint, that all and every the officers and clerks to be appointed as aforesaid shall have and receive respectively such reasonable salaries as the Chief Justice may, from time to time, appoint for each office and place respectively and as the Lieutenant-Governor of the Punjab, subject to the control of the Governor-General in Council may approve of: Provided always, and it is our will and pleasure, that all and every the officers and clerks to be appointed as aforesaid shall be resident within the limits of the jurisdiction of the said Court so long as they hold their respective offices, but this proviso shall not interfere with or without prejudice the right of any officer or clerk to avail himself of leave of absence under any rules, prescribed from time to time by the Governor-General in Council, and to absent himself from the said limits during the term of such leave in accordance with the said rules.

#### **Admission of Advocates, Vakils and Attorneys**

**7. Power of High Court in Admitting Advocates, Vakils and Attorneys**—And we do hereby authorize and empower the High Court of Judicature at Lahore to approve, admit and enrol such and so many Advocates, Vakils and Attorneys as to the said High Court may seem meet: and such Advocates, Vakils and Attorneys shall be and are hereby authorized to appear for the suitors of the said High Court, and to plead or to act, or to plead and act, for the said suitors, according as the said High Court may by its rules and directions determine, subject to such rules and directions.

**8. Power of High Court in making rules for the qualifications etc. of Advocates, Vakils and Attorneys**—And we do hereby ordain that the High Court of Judicature at Lahore shall have power to make rules from time to time for the qualification and admission of proper persons to be Advocates, Vakils and Attorney-at-law of the said High Court, and shall be empowered to remove or to suspend from practice, on reasonable cause, the said Advocates, Vakils or Attorney-at-law; and no person whatsoever but such Advocates, Vakils or Attorneys shall be allowed to act or to plead for, or on behalf of, any suitor in the said High Court, except that any suitor shall be allowed to appear, or act on his own behalf, or on behalf of a co-suitor.

#### **Civil Jurisdiction of the High Court**

**9. Extraordinary original civil jurisdiction**—And we do further ordain that the High Court of Judicature at Lahore shall have power to remove, and to try and determine, as a Court of extraordinary original jurisdiction, any suit being or falling within the jurisdiction of any Court subject to its Superintendence when the said High Court may think proper to do so, either on the agreement of the parties to that effect, or for purposes of justice, the reasons for so doing being recorded on the proceedings of the said High Court.

**10. Appeals to the High Court from Judges of the Court**—And we do further ordain that an appeal shall lie to the said High Court of Judicature at Lahore from the judgment (not being a judgment passed in the exercise of appellate jurisdiction in respect of a decree or order made in the exercise of appellate jurisdiction by a Court subject to the Superintendence of the said High Court, and not being an order made in the exercise of revisional jurisdiction, and not being a sentence or order passed or made in the exercise of the power of Superintendence under the provisions of Section 107 of the Government of India Act, or in the exercise of criminal jurisdiction) of one Judge of the said High Court or one Judge of any Division Court, pursuant to Section 108 of the Government of India Act, and that notwithstanding anything hereinbefore provided an appeal shall lie to the said High Court from a judgment of one Judge of the said High Court or one Judge of any Division Court, pursuant of Section 108 of the Government of India Act, made on or after the first day of February, one thousand nine hundred and twenty-nine in the exercise of appellate jurisdiction in respect of a decree or order made in the exercise of appellate jurisdiction by a Court subject to the Superintendence of the said High Court where the Judge who passed the judgment declares that the case is a fit one for appeal; but that the right of appeal from other judgments of Judges of the said High Court or of such Division Court shall be to Us, Our heirs or Successors in our or their Privy Council, as hereinafter provided.

**11. Appeal from other Civil Courts in the Provinces of the Punjab and Delhi**—And we do further ordain that the High Court of Judicature at Lahore shall be a Court of Appeal from the Civil Courts of the Provinces of the Punjab and Delhi and from all other Courts subject to its Superintendence, and shall exercise appellate jurisdiction in such cases as were immediately before the date of the publication of these presents, subject to appeal to the Chief Court of the Punjab by virtue of any law then in force, or as may after that date be declared subject to appeal to the High Court of Judicature at Lahore by any law made by competent legislative authority for India.

**12. Jurisdiction as to Infants and Lunatics**—And we do further ordain that the High Court of Judicature at Lahore shall have the like power and authority with respect to the persons and estates of infants, idiots and lunatics within the Provinces of the Punjab and Delhi as that which was vested in the Chief Court of Punjab immediately before the publication of these presents.

#### **Law to be Administered by the High Court**

**13. By the High Court in the exercise of extraordinary original civil jurisdiction**—And we do further ordain that, with respect to the law or equity to be applied to each case coming before the High Court of Judicature at Lahore at the exercise of its extraordinary original civil jurisdiction, such law or equity shall, until otherwise provided, be the law or equity which would have been applied to such case by any local Court having jurisdiction therein.

**14. By the High Court in the exercise of appellate jurisdiction**—And we do further ordain that, with respect to the law or equity and rule of good conscience to be applied by the High Court of Judicature at Lahore to each case coming before it in the exercise of its appellate jurisdiction, such law or equity and rule of good conscience shall be the law or equity and rule of good conscience which the Court in which the proceedings in such case were originally instituted ought to have applied to such case.

#### **Criminal Jurisdiction**

**15. Ordinary original criminal jurisdiction of the High Court**—And We do further ordain that the High Court of Judicature at Lahore shall have ordinary original criminal jurisdiction in respect of all such persons within the Provinces of the Punjab and Delhi as the Chief Court of the Punjab had such criminal jurisdiction over immediately before the publication of these present.

**16. Jurisdiction as to persons**—And We do further ordain that the High Court of Jurisdiction at Lahore, in the exercise of its ordinary criminal jurisdiction shall be empowered to all persons brought before it in due course of law.

**17. Extraordinary original criminal jurisdiction**—And We do further ordain that the High Court of Judicature at Lahore shall have extraordinary original criminal jurisdiction over all persons residing in places within the jurisdiction of any Court subject to its Superintendence, and shall have authority to try at its discretion any such persons brought before it on charges preferred by any Magistrate or other officer specially empowered by the Government in that behalf.

**18. No appeal from High Court exercising original jurisdiction Court may reserve points of law**—And We do further ordain that there shall be no appeal to the High Court of Judicature at Lahore from any sentence or order passed or made by the Courts of original criminal jurisdiction which may be constituted by one or more Judges of the said High Court. But it shall be at the discretion of any such Court to reserve any point or points of law for the opinion of the said High Court.

**19. High Court to review cases on points of law reserved by one or more Judges of the High Court**—And We do further ordain that, on such point or points of law being so reserved as

aforesaid, the High Court of Judicature at Lahore shall have full power and authority to review the case, or such part of it as may be necessary, and finally determine such point or points of law and thereupon to alter the sentence passed by the Court of original jurisdiction and to pass such judgment and sentence as to the said High Court may seem right.

**20. Appeals from other Criminal Courts in the Provinces of the Punjab and Delhi—**And We do further ordain that the High Court of Judicature at Lahore shall be a Court of Appeal from the Criminal Court of the Provinces of the Punjab and Delhi and from all other Courts subject to its Superintendence and shall exercise appellate jurisdiction in such cases as were, immediately before the date of the publication of these presents, subject to appeal to the Chief Court of the Punjab by virtue of any law then in force, or as may after that date be declared subject to appeal to the High Court of Judicature at Lahore by any law made by competent legislative authority for India.

**21. Hearing of referred cases and revision of criminal trials—**And We do further ordain that the High Court of Judicature at Lahore shall be a Court of reference and revision from the Criminal Court subject to its appellate jurisdiction, and shall have power to hear and determine all such cases referred to it by the Sessions Judge or by any other officers in the Provinces of the Punjab and Delhi who were, immediately before the publication of these presents, authorized to refer the cases to the Chief Court of the Punjab and to revise all such cases tried by any officer or Court possessing criminal jurisdiction in the Provinces of the Punjab and Delhi, as were immediately before the publication of these presents, subject to reference to or revision by the Chief Court of the Punjab.

**22. High Court may direct the transfer of a case from one Court to another—**And We do further ordain that the High Court of Judicature at Lahore shall have power to direct the transfer of any criminal case or appeal from any Court to any other Court of equal or superior jurisdiction, and also to direct the preliminary investigation or trial of any criminal case by any officer or Court otherwise competent to investigate or try it, though such case belongs in ordinary course to the jurisdiction of some other officer or Court.

#### **Criminal Law**

**23. Offenders to be punished under Indian Penal Code—**And We do further ordain that all persons brought for trial before the High Court of Judicature at Lahore, either in the exercise of its original jurisdiction, or in the exercise of its jurisdiction as a Court of appeal, reference or revision charged with any offence for which provision is made by Act No. XLV of 1860, called the “Indian Penal Code”, or by any Act amending or excluding the said Act which may have been passed prior to the publication of these presents, shall be liable to punishment under the said Act or Acts, and not otherwise.

#### **Testamentary and Intestate Jurisdiction**

**24. Testamentary and intestate jurisdiction—**And We do further ordain that the High Court of Judicature at Lahore shall have the like power and authority as that which was immediately before the publication of these presents lawfully exercised with the provinces of the Punjab and Delhi by the Chief Court of the Punjab, in relation to the granting of probates of last Wills and testaments, and letters of administration of the goods, chattels, credits and all others effects



whatsoever of persons dying intestate: Provided always that nothing in these Letters Patent contained shall interfere with the provisions of any law which has been made by competent legislature authority for India, by which power is given to any other Court to grant such probates and letters of administration.

### **Matrimonial Jurisdiction**

**25. Matrimonial Jurisdiction**—And We do further ordain that the High Court of Judicature at Lahore shall have jurisdiction, within the Provinces of the Punjab and Delhi, in matters matrimonial between Our subjects professing the Christian religion: Provided always that nothing herein contained shall be held to interfere with the exercise of any jurisdiction in matters matrimonial by any Court, not established by Letters Patent within the said Provinces which is lawfully possessed of that jurisdiction.

### **Powers of Single Judges and Division Courts**

**26. Single Judges and Division Courts**—And We do hereby declare that any function which is hereby directed to be performed by the High Court of Judicature at Lahore, in the exercise of its original or appellate jurisdiction, may be performed by any Judge, or by any Division Court, there of, appointed or constituted for such purpose in pursuance of Section 108 of the Government of India Act, 1915; and if such Division Court is composed of two or more Judges and the Judges are divided in opinion as to the decision to be given on any point, such point shall be decided according to the opinion of the majority of the Judges, if there be a majority but, if the Judges be equally divided, they shall state the point upon which they differ and the case shall then be heard upon that point by one or more of the other Judges and the point shall be decided according to the opinion of the majority of the Judges who have heard the case including those who first heard it.

### **Civil Procedure**

**27. Regulation of proceedings**—And We do further ordain that it shall be lawful for the High Court of Judicature at Lahore from time to time to make rules and orders regulating the practice of the Court and for the purpose of adopting as far as possible the provisions of the Code of Civil Procedure, being an Act, No. V of 1908, passed by the Governor-General in Council, and the provisions of any law which has been or may be made, amending or altering the same, by competent legislative authority for India, to all proceedings in its testamentary intestate and matrimonial jurisdiction, respectively.

### **Criminal Procedure**

**28. Regulation of proceedings**—And We do further ordain that the proceedings in all criminal cases brought before the High Court of Judicature at Lahore shall be regulated by the Code of Criminal Procedure, being an Act No. V of 1898, passed by the Governor-General in Council or by such further or other laws in relation to criminal procedure as may have been or may be made by competent legislative authority for India.

## **Appeals to Privy Council**

**29. Power to appeal in Civil Council**—And We do further ordain that any person or persons may appeal to Us. Our heirs and successors, in Our or their Privy Council in any matter not being of criminal jurisdiction from any final judgment, decree or order of the High Court of Judicature at Lahore made on appeal, and from and final judgment, decree or order made in the exercise of original jurisdiction by Judges of the said High Court, or of any Division Court, from which an appeal does not lie to the said High Court under the provisions contained in the 10th clause of these presents; provided in either case, that the sum or matters at issue is of the amount or value of not less than 10,000 rupees, or that such judgment, decree or order involves, directly or indirectly, some claim, demand or question to or respecting property amounting to or of the value of not less than 10,000 rupees: or from any other final judgment, decree or order made either on appeal or otherwise as aforesaid, when the said High Court declares that the case is a fit one for appeal to Us. Our heirs or successors, in Our or their Privy Council; but subject always to such rules and orders as are now in force, or may from time to time be made, respecting appeals to Ourselves in Council from the Courts of the Provinces of the Punjab and Delhi, except so far as the said existing rules and orders respectively are hereby varied; and subject also to such further rules and orders as We may, with the advice of Our Privy Council, hereinafter make in that behalf.

**30. Appeal from interlocutory judgments**—And We do further ordain that it shall be lawful for the High Court of Judicature at Lahore at its discretion, on the motion, or, if the said High Court, upon the petition, of any party who considers himself aggrieved by any preliminary or interlocutory judgment, decree or order of the said High Court in any such proceedings as aforesaid, not being of criminal jurisdiction, to grant permission to such party to appeal against the same to Us, Our heirs and successors, in Our or their Privy Council, subject to the same rules, regulations and limitations as are herein expressed respecting appeals from final judgments, decree and orders.

**31. Appeal in criminal cases**—And We do further ordain that from any judgment, order or sentence of the High Court of Judicature at Lahore, made in the exercise of original criminal jurisdiction or any criminal case where any point or points of law have been reserved for the opinion of the said High Court, in the manner provided by the 18th clause of these presents, by any Court which has exercised original jurisdiction, it shall be lawful for the person aggrieved by such judgment, order or sentence to appeal to Us. Our heirs or successors, in Council provided the said High Court declares that the case is a fit one for such appeal, and that the appeal be made under such conditions as the said High Court may establish or require, but subject always to such rules and orders as are now in force or may from time to time be made, respecting appeals to Ourselves in Council from the Courts of the Provinces of the Punjab and Delhi.

**32. Rule as to transmission of copies of evidence and other documents**—And We do further ordain that, in all cases of appeal made from any judgment, decree, order or sentence of the High Court of Judicature at Lahore to Us. Our heirs or successors, in Our or their Privy Council, such High Court shall certify and transmit to Us, Our heir and successors, in Our or their Privy Council, a true and correct copy of all evidence, proceedings, judgments, decree and orders had or made, in such cases appealed so far as the same have relation to the matters of appeal, such

copies to be certified under the seal of the said High Court. And that the said High Court shall also certify and transmit to Us, Our heirs and successors in Our or their Privy Council, a copy of the reasons given by the Judges of such Court, or by any Judges, for or against the judgment or determination appealed against. And We do further ordain that the said High Court shall, in all cases of appeal to Us, Our heirs or successors, conform to and execute, or cause to be executed, such judgments and orders as We, Our heirs or successors, in Our or their Privy Council may think fit to make in the premises, in such manner as any original judgment, decree or decretal orders or other or rule of the said High Court, should or might have been executed.

#### **Exercise of Jurisdiction elsewhere than at the usual place sitting of the High Court**

**33. Special commissions and circuits**—And We do further ordain that whenever it appears to the Lieutenant-Governor of the Punjab, subject to the control of the Governor-General in Council, convenient that the jurisdiction and power by these Our Letters Patent, or by or under the Government of India Act, 191 vested in the High Court of Judicature at Lahore should be exercised in any place within the jurisdiction of any Court subject to the Superintendence to the said High Court, other than the usual place of sitting of the said High Court, or at several such places by way of circuit, one or more Judges of the Court shall visit such place or places accordingly.

**34. Proceedings of Judges on special commission or circuit**—And We do further ordain that whenever any Judge or Judges of the High Court of Judicature at Lahore visit any place under the 33rd clause of these presents the proceeding in cases before him or them at such place shall be regulated by any law relating thereto which has been or may be made by competent legislative authority for India.

#### **Delegation of duties of Officer**

**35. Power to delegate duties**—The High Court of Judicature at Lahore may from time to time make rules for delegating to any Registrar Prothonotary or Master or other official of the Court any judicial, quasi-judicial and non-judicial duties.

#### **Calls for Records, etc., by the Government**

**36. High Court to comply with requisitions from Government for records etc.**—And it is Our further will and pleasure that the High Court of Judicature at Lahore shall comply with such requisitions as may be made by the Governor-General in Council or by the Lieutenant-Governor of the Punjab for records, returns and statements, in such form and manner as he may deem proper.

#### **Power of Indian Legislatures**

**37. Powers of Indian Legislatures Preserved**—And We do further ordain and declare that all the provisions of these Our Letters Patent are subject to the legislative powers of the Governor-General in Legislative Council, and also of the Governor-General in Council under Section 71 of the Government of India Act, 1915 and also of the Governor-General in cases of emergency under Section 72 of that Act, and may be in all respects amended and altered thereby.

IN WITNESS thereof we have caused these Our Letters to be made Patent.

WITNESS ourself at Westminster the 21st day of March in the Year of Our Lord one thousand nine hundred and nineteen and in the Ninth Year of Our Reign.

By WARRANT under the King's Sign Manual.

(Signed) SCHUSTER