

<b>Nomination of cases by Hon'ble Senior Vacation Judge on 04/06/2015</b>			
<b>Sl no.</b>	<b>Case details</b>	<b>Nominated to-</b>	<b>File delivered in section</b>
<b>Special Order</b>			
<b>1</b>	<p><b>Art.227 – 2923/2015 and Art.227 – 2924/2015 and Art.227 – 2925/2015 and Art.227 – 2926/2015 and Art.227 – 2928/2015 and Art.227 - 2935/2015</b></p>	<p>Under the Constitution of Benches during summer vacation, 2015, published under the order of Hon'ble the Chief Justice w.e.f. Week commencing 01.06.2015, Hon'ble Mr. Justice Anjani Kumar Mishra has been authorized to deal with the urgent civil matters (except service matters) cognizable by Single Judge.</p> <p>The petitions under the heading of Article 227 of the Constitution of India are being sent for being decided by the aforesaid Bench concerned. It appears that various matters are emanating from Criminal Jurisdiction, and as against the said action petition in question has been filed under Article 227 of the Constitution of India and as it has been emanating from Criminal Jurisdiction, concern Judge has been of the view that matter has wrongly been placed before the Bench, accordingly Registry may place this case before the appropriate Bench tomorrow.</p> <p>Under Article 227 of the Constitution of India, every High Court has authority of superintendence over all courts and tribunals throughout the territories in relation to which it exercises jurisdiction. All the matters that come up from the Courts, always are subject to authority of superintendence by the High Court under Article 227 of the Constitution of India.</p> <p>Apex Court in the case of <i>Radhey Shyam &amp; another Vs. Chhabi Nath and others (Civil Appeal No. 2548 of 2009)</i> decided on February 26, 2015 has mentioned that "control of working of subordinate courts in dealing with their judicial orders is exercised by way of appellate or revisional powers or power of superintendence under Article 227". Thus, every High Court has got inherent authority under Article 227 of the Constitution of India in respect of orders passed by the subordinate courts dealing with the jurisdiction.</p> <p>In view of this, once authority under Article 227 is to be exercised then it does not make any difference as to whether the matter is emanating from civil or criminal proceedings, once has been petition filed under Article 227 of the Constitution of India. In view of this petition under Article 227 of the Constitution of India will have go to the Bench hearing all urgent civil matters (except service matters) cognizable by Single Judge as other Hon'ble Judges while sitting singly during summer vacation, have not been authorized to take a call on petition under Article 227 of the Constitution of India. Accordingly Bench in question is fully authorized to hear petitions under Article 227 bereft of the fact that matter emanates from civil/criminal matter.<b>Art.227 - 2935/2015</b></p> <p>In view of this matter be place before the Bench hearing civil matters (except service matters) cognizable by Single Judge tomorrow. 05.06.2015.</p> <p><b>( Clarification over hearing of applications under article 227 of constitution of India )</b></p>	<p><b>Computer fresh Section on 04/06/2015</b></p>

BY ORDER OF HON'BLE SENIOR VACATION JUDGE

J.R.( LISTING)  
05/06/2015