

**HIGH COURT OF JUDICATURE AT ALLAHABAD
AMENDMENT (Admin. 'G-I') SECTION
NOTIFICATION**

NO. **218** /VIIIc,

Allahabad, Dated: **20.08.2018**

Correction Slip No. 261

In exercise of the powers conferred by Article 225 of the Constitution of India and all other powers enabling it in this behalf, the High Court of Judicature at Allahabad is pleased to make the following amendment in Allahabad High Court Rules, 1952 Volume I.

'Allahabad High Court (Amendment) Rules, 2018.'

- 1. Title and commencement:-** (i) These rules shall be called "Allahabad High Court (Amendment) Rules, 2018."
(ii) These rules shall come into force with effect from June 05th, 2018.
- 2. Definition:-** The rule means "Allahabad High Court Rules, 1952."
- 3. Repeal:-** Existing Rule 2 of Chapter V of the Rules of the Court, 1952, Vol. I, notified vide Court's Notification no. 194/VIIIc, dated 05.06.2018 (Correction Slip No. 259) shall stand repealed with effect from June 05th, 2018.
- 4. Amendment in Rule 2 of Chapter V:-** The existing provisions of Rule 2 of Chapter V of the Rules of the Court, 1952, Vol. I, shall be substituted as follows:-

Amendment
CHAPTER V JURISDICTION OF JUDGES SITTING ALONE OR IN DIVISION COURTS
<p>2. Jurisdiction of a single Judge.- Except as provided by these Rules or other law, the following cases shall be heard and disposed of by a Judge sitting alone, namely-</p> <p>(i) a motion for the admission of a memorandum of appeal or cross objection cognizable by a single judge and all applications including for <i>ex parte</i> interim order therein;</p> <p>(ii) (a) a Second Appeal from every decree passed in appeal by any court subordinate to the High Court;</p> <p>(b) a First Appeal instituted before or after the commencement of the U.P. Civil Laws Amendment Act of 2015 (U.P. Act no. 14 of 2015) from a decree, in which the value of the appeal for the purpose of jurisdiction does not exceed fifty lakh rupees;</p> <p>(c) an appeal under Section 28 of the Hindu Marriage Act, 1955;</p> <p>(d) any other Civil Appeal in which the value of the appeal does not exceed fifty lakh rupees;</p> <p>Provided that where all <i>ad volorem</i> Court-fee has been paid such value shall be deemed to be the amount on which such Court-fee has been paid.</p> <p>(iii) a civil revision;</p> <p>(iv) an application for the withdrawal of an appeal or application, or for a consent decree</p>

or order, which is uncontested or which is made in a case which can be heard under these Rules by a Judge sitting alone;

(v) any other application which is not-

(a) an application under Section 5 of the Limitation Act, 1963 in a case which cannot be heard by a Judge sitting alone;

(b) [Deleted]

(c) an application other than an application for interim order to which Chapter XXII, Part IV applies;

(d) an application other than an application for interim order which by these Rules or other law is required to be heard by a Bench of two or more Judges;

(e) an application other than an application for interim order under Chapter IX, Rule 10; or

(f) [Deleted]

(vi) a suit or a proceeding in the nature of a suit coming before the Court in the exercise of its ordinary or extraordinary original civil testamentary or matrimonial jurisdiction including a proceeding under the Indian Trusts Act, 1882, the Companies Act, 1956 or the Indian Patents and Designs Act, 1911;

(vii) a criminal appeal, application or reference except-

(a) an appeal or reference in a case in which a sentence of death or imprisonment for life has been passed from the stage of admission including consideration of bail onwards;

(b) an appeal under Section 378 of the Code of Criminal Procedure, 1973 from an order of acquittal in respect of an offence for which the maximum punishment is either life imprisonment or death;

(c) [Deleted]

(d) a case in which notice has been issued under Section 401 of the Code of Criminal Procedure, 1973 to an accused person to appear and show cause why his sentence should not be enhanced;

(e) [Deleted]

(f) an application to which Chapter XXI, Part IV applies;

(viii) a case coming before the Court in the exercise of its ordinary or extraordinary original criminal jurisdiction;

(ix) an appeal or revision from an order passed under Sections 340, 341 or 343 of the Code of Criminal Procedure, 1973:

Provided that:

(a) the Chief Justice may direct that any case or class of cases which may be heard by a Judge sitting alone shall be heard by a Bench of two or more Judges or that any case or class of cases which may be heard by a Bench of two or more Judges, by a Judge sitting alone;

(b) a Judge may, if he thinks fit, refer a case which may be heard by a Judge sitting alone or any question of law arising therein for decision to a Larger Bench; and

(c) a Judge before whom any proceeding under the Indian Trusts Act, 1882, the Companies Act, 1956 or the Patents and Designs Act, 1911, is pending may with the sanction of the Chief Justice, obtain the assistance of one or more other Judges for the hearing and determination of such proceeding or of any question or questions arising therein.

By Order of the Court

Registrar General

NO. 11914

Allahabad, Dated: 20-08-2018.