

CHHATTISGARH HIGH COURT (APPEAL TO DIVISION BENCH) ACT, 2006

114-009/2003/20-1-03. 7TüZ./38 ft. Q. 30-s-2003. " 6] 1928 Ä'-TPT 6 2007 332/4-5/21 •/g•ruur/06 .— 1 3-09-2006 28-12-2006 k. 11 12 2. 3. 4. (2) (1) (2) (3) (1) (2) (1) (2) 6 2007 (eve «IØ) 2006 (avg , 2006 226 «e?i Oft. 227 (I) 45 45 a-fi« H*rr. 1981 6 2007 6 2007 332/*-5/21 348 (3) (aue 2006 1 2007) a. aur *IT\$IR, CHHATTISGARH ACT (No. 1 of 2007) THE CHHATTISGARH HIGH COURT (APPEAL TO DIVISION BENCH) ACT, 2006 An Act to provide for an appeal from a judgment or order passed by one Judge of the High Court in exercise of the original jurisdiction, to a Division Bench of the same High Court. Be it enacted by the Chhattisgarh Legislature in the fifty-seventh year of the republic of India as follows :- 2. 3. 4. (2) (1) (2) (3) (2) (2) This Act may be called the Chhattisgarh High Court (Appeal to Division Bench) Act, 2006. It shall come into force from the date of its publication in the Official Gazette. An appeal shall lie from a judgment or order passed by one Judge of the High Court in exercise of original Jurisdiction under Article 226 of the Constitution of India, to a Division Bench comprising of two Judges of the same High Court. Provided that no such appeal shall lie against an interlocutory order or against an order passed in exercise of supervisory jurisdiction under Article 227 of the Constitution of India. An appeal under sub-section (1) shall be filed within 45 days from the date of order passed by a single Judge. Provided that any appeal may be admitted after the prescribed period of 45 days, if the petitioner satisfies the Division Bench that he had sufficient cause for not preferring the appeal within such period. Explanation :- The fact that the petitioner was misled by any order, practice or judgment of the High Court in ascertaining the period for computing the prescribed period may be sufficient cause within the meaning of this sub-section. An appeal under sub-section (1) shall be filed, heard and decided in accordance with the procedure as may be prescribed by the High Court. The High Court may, from time to time, make rules for carrying out all or any of the purpose of the Act. In particular and without prejudice to the generality of the foregoing power, such rules may provide for the procedure of filing, hearing and disposal of appeal under sub-section (3) of section 2. The Chhattisgarh Uchcha Nyayalaya (Letter Patent Appeals Samapti) Adhiniyam, 1981 (No. 29 of 1981) is hereby repealed. Notwithstanding such repeal, anything done or any action taken under or in pursuance of the said Act and which has attained finality shall not be reopened in any court of law. Short title and commencement. Appeal to the Division Bench Of the High Court from a Judgment or order of one judge of the High Court made in exercise of original jurisdiction. Power to make rules. Repeal and Saving, , -2007- 't*'iB/gf/09/2012-2015." / 38 Q. 30-os-2001." 87] 1935 18 1 sys/å 30/21 -WAF./ø. *1.114. — 30-07-2013*1 1 1-02-2014 113 174 2014 2 q 2014) 2013 (üva 2006 1 2007) urea Fq (t) 2013 2006 1 ø.u.f 2 27 3iNf7 i. " 2014 2013 (f* 2 2014 CHHATTISGARH ACT (No. 2 of 2014) CHHATTISGARH HIGH COURT (APPEAL TO DIVISION BENCH) (AMENDMENT) Act, 2013 An Act further to amend the Chhattisgarh High Court (Appeal to Division Bench) Act, 2006 (No. 1 of 2001). Be it enacted by the Chhattisgarh Legislature in the Sixty-fourth Year of the Republic of India, as follows (2) This Act may be called the Chhattisgarh High Court (Appeal to Division Bench) Amendment Act, 2013). It shall come into force from the date of its publication in the Official Gazette. 2. title and commencement. Amendment of Section 2. After first proviso of sub-section (1) of Section 2 of the Chhattisgarh High Court (Appeal to Division Bench) Act, 2006 (No. 1 of 2007), the following shall be added. namely "Explanation-Where points raised in the petition before the Division Bench against the order of judgment of the Single Judge were adjudicated upon, by the Sub-ordinate Court, Tribunal or Quasi-judicial Authority, as the case may be, it shall be presumed that such order or judgment by the Single Judge of the High Court has been passed in exercise of the supervisory jurisdiction under Article 227 of the Constitution of India. " am - 2014. a-a-a / 38 RI. Q. Gai, 30-05-2001. 205] "a-€rq5BM/09/2013-2015." (eRTü1XUT) 18 2016 28, 1938 18 2016 4873M 160/ 21 /ø. / 16 . 07-01-201 409 410 2. 2016 25 OF*ra) 2015 2006 1 2007) (1) 2015 (2) 2015@ 36*zaq, 2006 (77* 1 2007) 2 2016 4873/€(. 160/21-31/1TF./ø. q./16. — 348 (3) 18-05-2016 t. CHHATTISGARH ACT (No. 25 of 2016) THE CHHATTISGARH HIGH COURT (APPEAL TO DIVISION BENCH) (AMENDMENT) ACT, 2015 An Act further to amend the Chhattisgarh High Court (Appeal to Division Bench) Act, 2006 (No. 1 of 2007). Be it enacted by the Chhattisgarh Legislature in the Sixty-sixth Year of the Republic of India, as follows :- Short title and commencement. (1) (2) This Act may be called the Chhattisgarh High Court (Appeal to Division Bench) (Amendment) Act, 2015. It shall be deemed to have come into force with retrospective

effect from 6th August, 2015. Amendment Section 2. Of 2. The Explanation to the first proviso of sub-section (1) of Section 2 of the Chhattisgarh High Court (Appeal to Division Bench) Act, 2006 (No. I of 2007) shall stand omitted. - 2016.

