

## **CHAPTER II: JURISDICTION**

### **3. Territorial Jurisdiction of the High Court:**

- (1) If the High Court in question has various Benches, under this provision, the territorial jurisdiction of each Bench shall be clearly defined.
- (2) Notwithstanding anything contained in previous Sub-Rules, the Chief Justice shall have the power to order any case or class of cases arising in any district falling under the jurisdiction of \_\_\_\_\_ Bench at \_\_\_\_ to be heard at the Principal Seat in \_\_\_\_\_.

### **4. Powers of the Chief Justice:**

- (1) A Judge shall ordinarily sit singly or in a Bench of two or more at the place of sitting assigned to them by the Chief Justice.
- (2) The roster of each Bench shall be prepared by the Registrar at the direction of the Chief Justice.
- (3) To address contingencies, the Chief Justice may, from time to time, direct the Registrar to prepare roster instructions or amendments for redistribution of judicial work.

### **5. Roster:**

- (1) The roster may contain general or special instructions for assigning work of a Bench which is not available to another Bench.
- (2) The roster, including amendments and any special Benches, shall be notified in advance to all Judges, Advocate General, the concerned Bar Associations, and shall also be prominently displayed on the official website of the High Court.

### **6. Reference to another Bench:**

- (1) Where a Bench directs listing of a case before another Bench, the Registrar shall place the matter before the Chief Justice for orders.
- (2) Where a Bench directs listing of a case before another Bench, and the case can be listed before that particular Bench according to roster, rules, or a binding precedent; the Registrar shall list the case before that Bench; otherwise he shall place the matter before the Chief Justice for orders.
- (3) A single Bench or a division Bench may refer any proceeding, pending before it, to the Chief Justice with a recommendation that it be placed before a larger Bench where it involves a substantial question of law of general importance. In such proceedings, the referring Judge(s) may formulate question(s) and may either refer such question(s) for opinion or may request that the entire proceeding be heard and decided by the larger Bench.

- (4) Where a Judge sitting alone while hearing a case is of the opinion that, for the decision of that case, an earlier decision of a coordinate or larger Bench of this Court needs reconsideration, the Judge may formulate question(s) and refer the same to the Chief Justice with a recommendation that it be placed before a larger Bench.
  - (5) After the reference is answered by the division Bench or the larger Bench, the case shall be placed before the Chief Justice for listing before the appropriate Bench for hearing and decision in accordance with the opinion of the division Bench or larger Bench, as the case may be.
7. **Review, Reconsideration or Correction:** Every petition or application for review, reconsideration or correction of a judgment, decree, order or sentence shall be posted before the original Bench which pronounced, made, or passed such judgment, decree, order or sentence.

Provided that if the Judge(s) who constituted the said Bench is/are not available by reason of death, retirement or absence, the application for review, reconsideration or correction shall be posted before any other Bench constituted in the same manner as the original Bench by the Chief Justice.