

### **CHAPTER XIII: APPEALS TO THE SUPREME COURT**

#### **134. Grant of Certificate to Civil and Criminal Appeal:**

- (1) A party desiring to appeal to the Supreme Court under Article 132, Article 133 or Article 134 of the Constitution of India may apply orally for the grant of a certificate immediately after the pronouncement of the judgment by the Court, and the Court may grant or refuse the same.
- (2) Upon the Court making an order for the certificate to be granted, the Registry shall issue a certificate in the prescribed format. An application for amendment of the record of the appeal by adding or substituting parties will not be entertained by this Court after the date of the order granting the certificate. The parties desiring such amendment shall be required to move the Supreme Court on that behalf.

**135. Consolidation of Appeals:** The parties desiring consolidation of appeals shall be required to move the Supreme Court for an order in that behalf, under Rule 5 of Order LV of the Supreme Court Rules, 2013.

**136. Petition of Civil or Criminal Appeal accepted by the Supreme Court:** Once the Supreme Court digitally transmits the petition of appeal to the Registrar of the Court, the following steps shall be taken:

- (1) Notices of the lodgment of the petition of appeal shall be served on the respondents personally, or by email on the Advocates who represented them when the matter was in the High Court, as prescribed in Rule 72.

Provided that if the Advocate served with the notice is unable to communicate it to the party concerned, they shall inform the Registrar, who may thereupon either order the notice to be served by Speed Post, courier, or email.

- (2) Unless otherwise ordered by the Supreme Court, the Court shall transmit all the records of the case from each court it has been heard in within \_\_\_ days from the receipt of the petition of appeal.
- (3) All the records shall be maintained digitally, and indexed, and shall be transmitted digitally to the Supreme Court.

#### **137. Translation of Documents:**

- (1) Any document in the records not in English and not already containing a translation authorised by the High Court shall be translated before the records are transmitted to the Supreme Court.
- (2) The cost of such translation shall be borne by the appellant, and the translation has to be certified by a Court-authorised translator.

- 138. Rules Supplemental to Code of Civil Procedure, 1908:** The Rules contained in this Chapter shall be read as supplemental to Order XLV of the Code of Civil Procedure, 1908, and to the Supreme Court Rules and shall not be read in derogation of either of them.
- 139. Civil and Criminal Appeals by Special Leave:** The provisions of Rules 140 to 142 above (both inclusive) shall apply *mutatis mutandis* to civil appeals by Special Leave of the Supreme Court.