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NEW DELHI, WEDNESDAY, NOVEMBER 6, 2024/KARTIKA 15, 1946

SUPREME COURT OF INDIA

NOTIFICATION

New Delhi, the 5th November, 2024

G.S.R. 688(E).—In exercise of the powers conferred by article 145 of the Constitution, and all other enabling provisions in this behalf, the Supreme Court with the approval of the President, hereby makes the following rules further to amend the Supreme Court Rules, 2013, namely:-

- (1) These rules may be called the Supreme Court (Second Amendment) Rules, 2024.
(2) They shall come into force from the date of their publication on the Official Gazette.
- In the Supreme Court Rules, 2013 (hereinafter referred to as the said rules), in Order I, for rule 4, the following rule shall be substituted, namely:-
 - “Where any particular number of days is prescribed by these rules, or is fixed by an order of the Court, in computing the same, the day from which the said period is to be reckoned shall be excluded, and, if the last day expires on a day when the Court is closed, including partial Court working days, that day and any succeeding day on which Court remains closed or partially open shall also be excluded.”.

3. In Order II of the said rules,-

(a) for the heading, the following heading shall be substituted,namely:-

“OFFICES OF THE COURT: SITTINGS ETC.”;

(b) for rule 3, the following rule shall be substituted,namely:-

“3. During partial Court working days and holidays, the offices of the Court shall remain open for such times as the Chief Justice may direct.”;

(c) for rule 4, the following rule shall be substituted,namely:-

“4.(1) The Court shall sit in two terms annually, the first commencing from the termination of the partial Court working days and ending with the day immediately preceding such day in December as the Court may fix for the commencement of the Christmas and New Year holidays, and the second commencing from the termination of the Christmas and New Year holidays and ending with the commencement of the partial Court working days.

(2) The length of the partial Court working days and the number of holidays for the Court and the offices of the Court shall be such as may be fixed by the Chief Justice and notified in the Official Gazette so as not to exceed ninety-five days excluding Sundays.”

(d) for rule 6, the following rule shall be substituted,namely:-

“6. The Chief Justice may appoint one or more Judges to hear during partial Court working days or holidays all admission, after notice, regular matters of urgent nature or such other matter as the Chief Justice may direct.”.

4. In Order VI of said rules, in rule 6,-

for rule 6, (a) in the opening paragraph, for the words “During the vacation, the Vacation Judge”, the words “During the partial Court Working days, the Judge”, shall be substituted; and (b) for clause (1), the following clause shall be substituted, namely:-

“(1) Applications for special leave to appeal in urgent cases where interim relief is prayed for subject to the condition that the Judge shall not decide such a petition if it raise substantial question of law as to the interpretation of the Constitution.”.

5. In Order XXXVIII of the said rules, for rule 1, the following rule shall be substituted,namely:-

“1. (1) Every petition under article 32 of the Constitution shall be in writing and shall be heard by a Division Court of not less than five Judges provided that a petition which does not raise a substantial question of law as to the interpretation of the Constitution may be heard and decided by a Division Court of less than five Judges, and, during partial Court working days, by the Judge sitting singly.

(2) All interlocutory and miscellaneous applications connected with a petition under article 32 of the Constitution, may be heard and decided by a Division Court of less than five Judges, and, during partial Court working days, by the Judge sitting singly, notwithstanding that in the petition a substantial question of law as to the interpretation of the Constitution is raised.”.

[F. No. 22/Cal/2024/SCA(G)]

MAHESH T. PATANKAR, Registrar

Note:- The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R. 368(E), dated 29th May, 2014 and subsequently amended vide notification numbers G.S.R. 670(E), dated 18th September, 2019, G.S.R. 457(E), dated 29th July, 2024.