

In exercise of the powers conferred by Section 7 of the Delhi High Court Act, 1966 (Act 26 of 1966) and all other powers enabling it in this behalf, the High Court of Delhi, hereby makes the following amendment in the High Court Rules & Orders, Volume V :-

IN CHAPTER 3-B, THE EXISTING RULE 5 SHALL BE SUBSTITUTED AS UNDER :-

5. In cases not provided for by Order XLVII, Rule 5 of the Code of Civil Procedure, the following rule shall apply to an application for a review of a decree or order :-

Where the Judge or Judges, or any of the Judges, who passed the decree or made the order, a review of which is applied for, continues or continue attached to the court at the time when the application for review is presented, and is not or are not precluded by absence or other cause for a period of six months after the application from considering the decree or order to which the application refers, such Judge or Judges or any of them shall hear the application, and no other Judge or Judges of the court shall hear the same.

Provided that if the said Judge or Judges, or any one of the Judges, who passed the decree or made the order, is or are precluded by absence or other cause for a period of six months after the application from considering the decree or order to which the application refers, it shall be heard (a) if the decree was passed or the order was made by a Judge sitting alone, by a Judge sitting alone, (b) if the decree was passed or the order made by a Bench of two or more Judges, by a Bench consisting of as many Judges as the Bench whose decree or order a review is applied for. The Judges who passed the decree or made the order, as are available, shall be members of the Bench.

This amendment shall come into force immediately on the date of publication in the Delhi Gazette.

By Order of the Court,
LOKESHWAR PRASAD, Registrar