

CHAPTER IV

Reference to the Full Bench

1. Whenever a Division Bench desires and the Chief Justice consents that any case shall be referred to a Full Bench or whenever in any case a Division Bench differs from any other Division Bench upon a point of law or usage having the force of law, such case shall be referred for decision by a Full Bench.
2. If the case is an appeal from an appellate decree, the Bench shall state the point or points which they desire to refer or upon which they differ from the decision of a former Division Bench, as the case may be, and shall refer the appeal for the final decision of a Full Bench.
3. If the case is an appeal from an original decree or order, the questions of law shall alone be referred and the Full Bench shall return the case with an expression of its opinion upon the points of law for final adjudication by the Division Bench which referred it, and in case of necessity in consequence of the absence of all or any of the referring Judges, for the ultimate decision of another Division Bench.
4. If the case is one which has come before a Division Bench in the exercise of its Civil Revisional Jurisdiction, the point or points shall be stated as provided in Rule 2 and the matter shall be referred for the final decision of the Full Bench.
5. If the case is one which has come before a Division Bench as a Court of Criminal Appeal, Reference, or Revision, the Court referring the case shall state the point or points on which they differ from the decision of the former Division Bench, and shall refer the case to the Full Bench for orders.
6. Every decision of the Full Bench shall be treated as binding on all Division Benches and Judges sitting singly upon the point of law or usage having the force of law determined by the Full Bench, unless it is subsequently reversed by a specially constituted Bench consisting of such number of Judges as in each case shall be fixed by the Chief Justice or unless a contrary rule is laid down by the Supreme Court.

NOTE--The judgment in all cases heard by a Full Bench is to be circulated for information to all the Judges of the Court who did not take part in the decision.
