

Order-42 Appeals from Appellate Decrees

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1. Procedure :-

The rules of Order XLI shall apply, so far as may be, to appeals from appellate decrees.

2. Power of Court to direct that the appeal be heard on the question formulated by it :-

At the time of making an order under rule 11 of Order XLI for the hearing of a second appeal, the Court shall formulate the substantial question of law as required by Section 100 , and in doing so, the Court may direct that the second appeal be heard on the question so formulated and it shall not be open to the appellant to urge any other ground in the appeal without the leave of the Court, given in accordance with the provision of Section 100].

3. Application of rule 14 of Order XLI :-

Reference in sub-rule (4) of rule 14 of Order XLI to the Court of first instance shall, in the case of an appeal from an appellate decree or order, be construed as a reference to the Court to which the appeal was preferred from the original decree or order.]