ABSTRACT

KEY WORDS

[Special Leave Appeal, Extra Ordinary Appellate Jurisdiction, Article 136, Supreme Court, Tribunals, Administrative Tribunals Act, Industrial Disputes Act, Central Administrative Tribunal, State Administrative Tribunal, Labour Court, Law Commission of India, High Court, Admission Policy]

The study entitled “Special Leave Appeal – Critical Appraisal” had undertaken to explore the new and more complex procedure for the special leave petitions from tribunals and to see whether it protect the constitutional powers of the court. Extraordinary appellate jurisdiction of the Court under article 136 is significant due to wide discretionary power. The use of the term tribunal in article 136 has an ever widening connotation and makes it general appellate court in administrative matters.

While exercising the jurisdiction under article 136, the Court has to stick on to some basic principles at the admission stage itself. The admission policy of the court without any sound principle has resulted in docket explosion. The admission policy has been more honored in breach than by observance. Strict compliance of the guidelines will inculcate confidence in litigants. A National Tribunal at the apex of the various specialized tribunals would help to achieve uniformity in diversified opinions of various appellate tribunals and High Courts.

The study is purely doctrinal. An attempt was made to analyze all reported decisions of the Supreme Court arising directly from tribunals to find out how often the court interfered with the verdict of the specialist adjudicatory bodies. The entire layout of the thesis is spread out in eleven chapters. The two landmark judgments Sampath Kumar and L. Chandrakumar were critically analyzed to disclose the vagaries of judicial attitude. The recommendation of Law Commission in its 215th report in this respect is examined.