

(ii) When any court subordinate to the high court (i.e. the District Judge or Subordinate Judge) decides an appeal from the decision of an inferior court, a second appeal lies to the high court from the decision of the lower appellate court, but only on question of law and procedure, as distinguished from questions of fact [Section 100, CPC].

(iii) Besides, there is a provision for appeal under the Letters Patent of the Allahabad, Bombay, Calcutta, Madras and Patna High Courts. These appeals lie to the appellate side of the high court from the decision of a single judge of the high court itself, whether made by such judge in the exercise of the original or appellate jurisdiction of the high court.

(II) The criminal appellate jurisdiction of the high court is not less complicated. It consists of appeals from the decisions of —

(a) A Sessions Judge or an Additional Sessions Judge, where the sentence is of imprisonment exceeding seven years;

(b) An Assistant Sessions Judge, Metropolitan Magistrate or other Judicial Magistrates in certain specified cases other than “petty” cases [Sections 374, 376 CrPC, 1973]

Every high court has a power of superintendence over all courts and tribunals throughout the territory in relation to which it exercises jurisdiction, excepting military tribunals [Article 227]. This power of superintendence is a very wide power inasmuch as it extends to all courts as well as tribunals within the State, whether such court or tribunal¹² is subject to the *appellate* jurisdiction of the high court or not. Further, this power of superintendence would include a revisional jurisdiction to intervene in cases of gross injustice or non-exercise or abuse of jurisdiction or refusal to exercise jurisdiction, or in case of an error of law apparent on the face of the record, or violation of the principles of natural justice, or arbitrary or capricious exercise of authority, or discretion or arriving at a finding which is perverse or based on no material, or a flagrant or patent error in procedure, even though no appeal or revision against the orders of such tribunal was otherwise available. Judicial orders of a civil court are not amenable to writ of *certiorari* under Article 226 of the Constitution. The high court however can exercise supervisory jurisdiction over civil courts in respect of such judicial orders. The scope of Article 227, however, is different from Article 226. *Radhey Shyam v Chhabhi Nath*, AIR 2015 SC 3269 : (2015) 5 SCC 423. The high court, in exercise of its power under Article 227 of the Constitution, would not interfere with the orders of the trial court when the orders of trial court were passed on sound consideration of law and facts and not arbitrary.¹⁴

The power of superintendence conferred by Article 227 is supervisory and not appellate. This power of judicial superintendence must be exercised sparingly, to keep subordinate courts and tribunals within the limits of their authority. Jurisdiction under Article 227 cannot be exercised in the cloak of an appeal in disguise.^{14A}

By reason of the extension of Governmental activities and the complicated nature of issues to be dealt with by the administration, many modern statutes have entrusted administrative bodies with the function of deciding disputes and quasi-judicial issues that arise in connection with the administration of such laws, either because the ordinary courts are already overburdened to take up these new matters or the disputes are of such a technical nature that they can be decided only by persons who have an intimate knowledge of the working of the Act under which it arises. Thus, in India, quasi-judicial powers have been vested in administrative authorities such as the

High Court's Power of superintendence.

Jurisdiction over Administrative Tribunals.