GENERAL

# appeal form 35 procedure and attachments for e filing of

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## Introduction

Filing an appeal in the Supreme Court of India is a critical step for parties seeking to challenge a judgment or order. Among the many forms available for this purpose, **Form 35** stands out as the primary vehicle for appealing a judgment or order. With the advent of digital technology, the Supreme Court has embraced an **e filing** system, making the process more efficient, transparent, and accessible. This article delves into the **appeal form 35 procedure and attachments for e filing of** the appeal, guiding legal professionals and litigants through every step from preparation to submission.

## What Is Form 35?

Form 35, officially titled "**Appeal against a judgment or order**," is the standard document used to file an appeal in the Supreme Court. It captures essential details such as the parties' information, the judgment or order being appealed, the grounds of appeal, and the relief sought. The form is designed to ensure that the Court receives a clear, concise, and legally sound appeal, thereby facilitating a smooth adjudication process.

### Key Features of Form 35

- Structured layout with sections for parties, judgment details, and grounds of appeal.
- Mandatory fields that must be filled out to avoid rejection.
- Space for attaching supporting documents and affidavits.
- Provision for the appellant's signature and the lawyer's details.

## Jurisdiction and Eligibility for Filing Form 35

Before proceeding with the filing, it's essential to confirm that the appeal falls within the jurisdiction of the Supreme Court and that the appellant meets the eligibility criteria.

1. Jurisdiction: The Supreme Court has original jurisdiction over certain matters (e.g., disputes involving the government) and appellate jurisdiction over decisions of the High Courts and other courts.
2. Time Limits: The appeal must be filed within the statutory time frame, typically 30 days from the date of the judgment or order, unless extended by the Court.
3. Legal Representation: While an appellant can file the appeal personally, it is highly recommended to engage a lawyer experienced in Supreme Court practice.

## Step-by-Step Procedure for Filing Appeal Form 35

Below is a comprehensive guide that walks you through each stage of the e filing process, ensuring that you comply with all procedural and technical requirements.

### 1. Draft the Appeal

Begin by drafting the appeal in a clear, concise, and legally robust manner. The appeal should articulate the grounds of appeal, referencing relevant statutes, case law, and procedural rules.

### 2. Prepare Supporting Documents

Gather all documents that support your appeal. These may include the judgment or order, affidavits, expert reports, and any other evidence that substantiates your grounds for appeal.

### 3. Complete Form 35

Fill out Form 35 meticulously, ensuring that every required field is accurately populated. Pay special attention to:

- Parties' details (appellant, respondent).
- Judgment or order details (court name, date, case number).
- Grounds of appeal (point-by-point).
- Requested relief.

### 4. Attach Documents

Attach the required documents in the specified format and order. The attachments are crucial for the Court to review the merits of your appeal.

### 5. Upload to the e Filing Portal

Access the Supreme Court's e filing portal (ecourts.gov.in). Log in with your credentials and navigate to the "File a New Appeal" section. Follow the on-screen instructions to upload Form 35 and all attachments.

### 6. Pay the Filing Fee

After uploading, pay the required filing fee using the available online payment methods. Retain the payment receipt as it serves as proof of payment.

### 7. Confirmation and Tracking

Upon successful filing, you will receive a confirmation notice with a case number. Use this number to track the status of your appeal via the portal.

## Attachments Required for e Filing of Appeal Form 35

Attachments play a pivotal role in establishing the factual and legal basis of your appeal. The Supreme Court mandates a specific set of documents that must accompany Form 35. Below is a detailed list of these attachments, along with guidelines on how to prepare and format them.

### 1. Copy of the Judgment or Order

- Provide an unaltered copy of the judgment or order being appealed.
- Ensure that the copy is legible and complete.
- Attach the original or a certified copy if the original is not available.

### 2. Affidavit of Grounds of Appeal

- Draft an affidavit that sets out the grounds of appeal in a structured manner.
- Include references to specific legal provisions and case law.
- Sign the affidavit in the presence of a notary or a legal professional.

### 3. List of Attachments

- Prepare a separate sheet listing all documents attached.
- Number each attachment and cross reference them in the appeal.

### 4. Supporting Evidence

- Expert reports, photographs, or any other material that supports your appeal.
- Ensure that each piece of evidence is labeled and referenced in the affidavit.

### 5. Legal Memorandum

- Draft a memorandum that summarizes the legal arguments and precedents supporting your appeal.
- Include citations, statutes, and relevant case law.

### 6. Power of Attorney (If Applicable)

- Attach a notarized power of attorney if a lawyer is filing the appeal on your behalf.
- Ensure that the power of attorney complies with the Supreme Court's requirements.

### 7. Filing Fee Receipt

- Attach a scanned copy of the payment receipt as proof of payment.

## Formatting and Technical Requirements for e Filing

The Supreme Court's e filing system imposes strict formatting rules to maintain consistency and facilitate electronic processing. Adhering to these guidelines reduces the risk of rejection or delay.

### Document Formats

- PDF (Portable Document Format) is the preferred format for all attachments.
- Use PDF/A for long-term archiving and compliance.
- Avoid using scanned images; use digital PDFs whenever possible.

### File Size Limits

- Maximum file size per attachment: 10 MB.
- Maximum total file size for the entire appeal: 50 MB.

### Naming Conventions

- Use descriptive file names (e.g., "Appellant_Identification.pdf").
- Avoid special characters and spaces; use underscores instead.

### Security and Encryption

- Encrypt sensitive documents using password protection.
- Provide the password in a separate, secure communication channel.

## Fee Structure for Filing Appeal Form 35

The filing fee for an appeal in the Supreme Court varies based on the value of the case and the type of appeal. The fee schedule is published in the Supreme Court's Fee Order, which is updated periodically.

### Typical Fee Schedule (as of 2026)

- Value of the case up to ¹1,00,000: ¹1,000
- ¹1,00,001 to ¹10,00,000: ¹5,000
- Above ¹10,00,000: ¹10,000

### Payment Methods

- Net banking through the e filing portal.
- Credit or debit card via secure gateways.
- UPI (Unified Payments Interface) for instant payments.

## Common Pitfalls and How to Avoid Them

Even seasoned practitioners can encounter challenges when filing an appeal. Below are some common mistakes

and strategies to mitigate them.

### 1. Incomplete or Incorrect Form 35

- Double  check all mandatory fields.
- Use the Court's online form validation tool to catch errors before submission.

### 2. Missing Attachments

- Maintain a master checklist of required documents.
- Cross  verify the list before uploading.

### 3. Format Violations

- Adhere strictly to PDF format and file size limits.
- Use the Court's template for the affidavit of grounds of appeal.

### 4. Late Filing

- Set calendar reminders for key dates.
- File the appeal well before the deadline to account for technical delays.

### 5. Failure to Pay the Correct Fee

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