

CHAPTER XIX

SEARCH AND CERTIFIED COPIES

267. Search and certified copies of documents to a party to suit or matter. – The Prothonotary and Senior Master shall, on the application of any party to a suit or matter, allowed search or grant certified copies of all papers and proceedings in the suit or matter, on payment of the prescribed fees and charges. When the party applies for the certified copy of a part of a document on record, the Prothonotary and Senior Master may, in his discretion, grant such copy.

268. Search and certified copies of documents to a person not a party to suit or matter. – The Prothonotary and Senior Master may, on the application of a person not a party to a suit or matter, on sufficient cause being shown, allow search or grant certified copies of such papers and proceedings in the suit or matter as the Prothonotary and Senior Master may think fit, on payment of the prescribed fees and charges. When such person applies for a certified copy of a part of a document on record, the Prothonotary and Senior Master may, in his discretion, grant such copy.

¹[**269. Deposit for certified copies.** - ² [The Court Fee Stamp of Rs.5 or as may be prescribed by the State Government, from time to time, hereinafter, under the Bombay Court Fees Act shall be affixed on the application for issue of Certified Copy.] Every application for a certified copy of any Judgment, Decree or Order and Minutes of Order shall be accompanied by a deposit of Rs. 20, Rs.15, Rs. 10 respectively. Any further charges that may be found to be due shall be paid before the copy is furnished. If the amount deposited is found to be in excess of the actual charges, the excess shall be returned when the copy is furnished:

Provided that, no such deposit shall be necessary when the application is made by or on behalf of the State of Maharashtra or the Union of India but on the undertaking of the Advocate concerned that charges will be paid irrespective of whether the certified copies are eventually collected or not.

1. Rule 269 was substituted by G.N.No.G/Amend/2419,dated 27th March 1991, pub. In M.G.G, Pt. IV-Ka, p. 170-173

2. words were inserted by G/Amend/14865, dated 8.11. 2007.

270. Charges for certified copies. – (1) The following shall be the rates for obtaining the certified copies of documents:-

- (a) For copying and comparing documents, 40 paise per folio of 100 words, or fraction thereof;
- (b) For copying and comparing documents in tabular form, twice the rate mentioned in item (a);
- (c) For comparing private copies of documents, produced for certification as true copies, 20 paise per folio of 100 words or fraction thereof;
- (d) For copying map or plan such fees not exceeding Rs. 25 and not less than Rs. 2 as the Prothonotary and Senior Master may determine.
- (e) For copying and comparing copies prepared on Xerox Machine Rs. 1.50 Paise per page;
- (f) For copying and comparing urgent copies prepared on Xerox Machine Rs. 2.25 paise per page.

(2) When Advocate or a party applies for more than one certified copies of any document, he may also state in the application itself, whether he requires carbon copies of the said document. In such cases, the Office shall issue to him a maximum of five carbon copies (in addition to the original certified copy at full rates) and shall charge for each such carbon copy one fourth of the fee prescribed for a single certified copy of the document in question with a minimum of 15 paise.

271. Application to state whether copy is required for private use or otherwise. – Every application for a certified copy shall state whether the copy is required for the private use of the person applying for it or otherwise. When the certified copy is required for a purpose other than private use, the requisite Court fee under Articles 24, 25 and 27 of Schedule II to the Bombay Court Fees Act, 1959, shall be paid in addition to the fees prescribed by rule 270.

272. Applications for copies liable to stamp-duty. – All applications for certified copies liable to stamp-duty under Article 26 of Schedule I to the Bombay Stamp Act, 1958, shall be accompanied by the stamp-paper of the appropriate denomination.

¹[**272-A. Private copies may be certified as true copies.** – Copies of the Judgment or any document on record in any civil proceeding in this court may, on the orders of the Prothonotary and Senior Master, be certified as true copies, upon an application made in that behalf, provided that the copies sought to be certified are neatly typed on good paper. In such case, only comparing fees shall be levied according to the scale of fees prescribed. In no case xerox copies shall be so certified.]

1. Rule 272A was inserted by G.N.No.G/Amend/2419,dated 27th March 1991, pub. In M.G.G, Pt. IV-Ka, p. 170-173.

273. The above rules to apply to certain other offices. – The rules contained in this chapter shall, with any necessary modifications, apply to applications for search of proceedings and for certified copies of documents in the offices of the Commissioner for Taking Accounts, the Court Receiver, the Taxing Master, the Sheriff of Bombay and the Accounts Officer.
