

PART V

MISCELLANEOUS

985. Definitions - In the rules contained in Parts I,II, III and IV unless there is anything repugnant in the subject or context, or unless it is otherwise provided in the said rules, -

- (a) “The Judge in Chambers” means the Judge who is nominated by the Chief Justice to hear and dispose of chamber matters;
- (b) “Client” includes any person or body of persons, corporate or unincorporate, on whose behalf an Advocate is acting in the practice of his profession or on whose behalf an Advocate in connection with his practice receives money.

***985(A).** Practice Directions issued by the Hon’ble Chief Justice. – The Hon’ble Chief Justice may, by Notification, issue Practice Directions to supplement these Rules including provisions contained in Appendices annexed and forms prescribed.

* Add by Notification No. P.3603/2019, dated 22.11.2019

¹[986. Rejection of plaint, memo of appeal, execution application and applications and petition of original nature for non-removal of office objections. – Every plaint, memo of appeal, application for execution and all other applications and petitions of the original nature, including the petition by an indigent person, in which the Plaintiff / Appellant / Applicant / Petitioner does not remove the office objections within 30 days from the date of lodging the said documents, shall be placed before the Prothonotary and Senior Master for directions, who may reject such documents for non-removal of office objections. Rule 133 of these rules will apply to such rejection].

1. Rule 986 was substituted by G. N. No. G/Amended/4504 of 22-6-1992, Pub. In M.G.G. Pt. IV-Ka.p.386

²[986-A. Application for winding up under Companies Act, 1956 in respect of certain areas of the State of Maharashtra – Application for winding up of a Company and other applications under the Companies Act, 1956, in respect of a Company having its registered Office or in the case of a Company

incorporated outside India, its principal place of business within the State of Maharashtra, excluding the Districts of Akola, Amravati, Bhandara, Buldhana, Chandrapur, Nagpur, Wardha and Yavatmal and in respect of which, under section 10(1) of the Companies Act, 1956, the High Court has jurisdiction, shall be filed in the Office of the Prothonotary and Senior Master.]

[2.Rule 986A was inserted by G.N of 16-10-1890](#)

987. General Clauses Act, 1897 and section 2, Code of Civil Procedure, to apply - The Provisions of the General Clauses Act, 1897, and of section 2 of the Code of Civil Procedure shall apply to the rules contained in Part I, II and III, unless there is anything repugnant in the subject or context, or unless it is otherwise provided in the said rules.

¹ **[987-A. Rules relating to Trade and Merchandise Act, 1958 to apply to this petition under the Patent Act, 1970.** – Rules framed under Chapter XLV of Rules under Trade and Merchandise Act, 1958, shall also apply to Petition under the Patents Act, 1970, mutatis mutandis.]

[1.Rule 987A inserted vide G. N. dated 20-10-1992.](#)

988. In cases not provided for, present practice to be followed – In cases not provided for by the code of Civil Procedure or by the rules contained in Parts I, II and III, the present practice and procedure shall be followed, so far as they may be applicable and are not inconsistent with the said Code and the said rules.

989. Forms to be used – The forms given in the Schedule, with such variations as the circumstances of each case may require, shall be used for the purposes therein mentioned.

990. Short title, date of commencement and applicability – The rules in this Part and in the preceding Parts may be cited as “The Rules of the High Court of Judicature at Bombay (Original Side), 1980”. They shall come into force on the 1st day of May 1980, and shall also apply so far as may be practicable, unless otherwise expressly provided, to all proceedings taken on or after that day in all suits and matters then pending.

991. Repeal – The Rules of the High Court of Bombay (Original Side), 1957, treating of matters contained in this Part and the preceding Parts, are hereby repealed and the rules contained in the said Parts shall stand in lieu thereof.
