



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ३, अंक २८]

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असाधारण क्रमांक ७९

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Bombay Court-fees (Amendment) Act, 2011 (Mah. Act No. XXV of 2011), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

H. B. PATEL,
Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XXV OF 2011.

(First published, after having received the assent of the Governor, in the "Maharashtra Government Gazette", on the 10th August 2011).

An Act further to amend the Bombay Court-fees Act, 1959.

WHEREAS both Houses of the State Legislature were not in session;

Bom. XXXVI of 1959. Mah. Ord. XVI of 2011.

AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Bombay Court-fees Act, 1959, for the purposes hereinafter appearing; and, therefore, promulgated the Bombay Court-fees (Amendment) Ordinance, 2011, on the 8th June 2011.

AND WHEREAS, it is expedient to replace the said Ordinance by an Act of the State Legislature ; it is hereby enacted in the Sixty-second Year of the Republic of India as follows :—

Short title and commencement. 1. (1) This Act may be called the Bombay Court-fees (Amendment) Act, 2011.

(2) It shall be deemed to have come into force on the 8th June 2011.

Amendment of section 15 of Bom. XXXVI of 1959. 2. In section 15 of the Bombay Court-fees Act, 1959 (hereinafter Bom. referred to as " the principal Act "), for the words " from the Collector " XXXVI of 1959. the words " from the Collector or by way of e-payment, in the manner as prescribed by rules " shall be substituted.

Amendment of section 16 of Bom. XXXVI of 1959. 3. In section 16 of the principal Act, for the words " from the Collector " the words " from the Collector or by way of e-payment, in the manner as prescribed by rules " shall be substituted.

Amendment of section 17 of Bom. XXXVI of 1959. 4. In section 17 of the principal Act, for the words " from the Collector " the words " from the Collector or by way of e-payment, in the manner as prescribed by rules " shall be substituted.

Substitution of section 37 of Bom. XXXVI of 1959. 5. For section 37 of the principal Act, the following section shall be substituted, namely :—

Collection of fees by stamps or e-payment. " 37. All fees referred to in section 3 or chargeable under this Act shall be collected by stamps or e-payment. "

Amendment of section 39 of Bom. XXXVI of 1959. 6. In section 39 of the principal Act,—
(1) in clause (c), the word "and" shall be deleted ;
(2) after clause (d), the following clause shall be added, namely :—
" (e) the manner of payment of court-fee and refund thereof by e-payment :".

Amendment of section 42 of Bom. XXXVI of 1959. 7. To section 42 of the principal Act, the following proviso shall be added, namely :—

" Provided that, where court-fee is paid by e-payment, the officer competent to cancel stamp shall verify the genuineness of the payment and after satisfying himself that the court-fee is paid, shall lock the entry in the computer and make an endorsement under his signature on the document that the court-fee is paid and the entry is locked. "

Repeal of Mah. Ord. XVI of 2011 and saving. 8. (1) The Bombay Court-fees (Amendment) Ordinance, 2011, is hereby repealed.

Mah. Ord. XVI of 2011.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the principal Act, as amended by the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of the principal Act, as amended by this Act.