



महाराष्ट्र शासन राजपत्र असाधारण भाग आठ

वर्ष ३, अंक ५०(२)]

शुक्रवार, डिसेंबर ३०, २०११/पौष ९, शके १९३३

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असाधारण क्रमांक १३०

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 Civil Courts (Amendment) Act, 2011 (Mah. Act No. XLIV 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. XLIV OF 2011.

(First published, after having received the assent of the President in the "Maharashtra Government Gazette", on the 30th December 2011.)

An Act further to amend the Bombay Civil Courts Act, 1869.

Act No.
XIV of
1869.

WHEREAS it is expedient further to amend the Bombay Civil Courts Act, 1869, for the purposes hereinafter appearing ; it is hereby enacted in the Sixty-second Year of the Republic of India as follows :—

1. (1) This Act may be called the Bombay Civil Courts (Amendment) Act, 2011.

Short title
and
commence-
ment.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

(१)

- Amendment of section 16 of Act XIV of 1869. 2. In section 16 of the Bombay Civil Courts Act, 1869 (hereinafter referred to as "the principal Act"), for the words "two lakh rupees" the words "ten lakh rupees" shall be substituted. Act No. XIV of 1869.
- Amendment of section 24 of Act XIV of 1869. 3. In section 24 of the principal Act,—
 (a) for the words "one lakh rupees" the words "five lakh rupees" shall be substituted ;
 (b) in the proviso, for the words "one lakh rupees to one lakh fifty thousand rupees" the words "five lakh rupees to seven lakh fifty thousand rupees" shall be substituted.
- Amendment of section 26 of Act XIV of 1869. 4. In section 26 of the principal Act, for the words "two lakh rupees" the words "ten lakh rupees" shall be substituted.
- Amendment of section 28A of Act XIV of 1869. 5. In section 28A of the principal Act, in sub-section (2), for the words "two lakh rupees" the words "ten lakh rupees" shall be substituted.
- Insertion of section 28B in Act XIV of 1869. 6. After section 28A of the principal Act, the following section shall be inserted, namely :—
- Transfer of pending suits and appeals. "28B. On the commencement of the Bombay Civil Courts (Amendment) Act, 2011,—
 (1) all suits in which the amount or value of the subject matter does not exceed rupees five lakhs and which are pending before the Court of Civil Judge (Senior Division), immediately, before such commencement, shall stand transferred to the concerned Court of Civil Judge (Junior Division) and such court may deal with such suit from the stage which was reached before such transfer or from any earlier stage or *de-novo* as such court may deem fit ;
 (2) all appeals in which the amount or value of the subject matter does not exceed rupees ten lakhs and pending before the High Court immediately before such commencement, shall stand transferred to the concerned District Court and such District Court may deal with such appeal from the stage which was reached before such transfer or from any earlier stage or *de-novo* as such court may deem fit :
 Provided that, this section shall not apply to any suits and appeals which are pending before the Court of Civil Judge (Senior Division) or, as the case may be, before the High Court, which are statutorily provided under the relevant enactment before such Court."

Mah.
 XLIV
 of
 2011.