

THE HIGH COURT OF JUDICATURE AT BOMBAY

ORIGINAL SIDE

NOTIFICATION

No. G/amend/1077/2022.— The Hon'ble the Chief Justice and the Judges of the High Court are pleased to direct that the following amendment shall be made in Chapter I of the Bombay High Court Original Side Rules, 1980 :—

The following new sub-rules 28(A) to 28(C) be incorporated after existing Rule 28.

“28 (A).— Whenever one Division Bench shall differ from the decision of any other Division Bench upon a point of law or usage having the force of law, the case shall be directed to be placed before the Chief Justice for decision by a larger Bench. In such a case of difference of opinion on a point of law, the Division Bench referring the case shall state the point on which it differs, formulate the question or issue to be answered and refer the case to the Chief Justice for decision by a larger Bench.

28 (B).— If the question arises in a appeal from an original decree, the questions of law shall alone be referred, and the larger Bench shall return the case with an expression of its opinion upon such points of law for final adjudication by the Division Bench which referred it, and in case of necessity in consequence of the absence of any or either of the referring Judges, for the ultimate decision of another Division Bench.

28 (C).— The provisions in sub-rules (A) of Rule 28 shall apply *Mutatis Mutandis* to Single Judges.”

High Court of Judicature at Bombay,
dated the 24th June 2022.

MAHENDRA W. CHANDWANI,
Registrar General.