

**IN THE HIGH COURT OF BOMBAY**  
**APPELLATE SIDE**

**Press Advertisement No. F.C.5504/2023**

On-line Applications are invited in the prescribed form from eligible candidates for filling up **02 posts of Family Court Judges in regular cadre and 13 temporary posts of Family Court Judges** in the State of Maharashtra in the pay scale of Rs.144840-194660 + dearness allowance and other allowances as admissible under the Rules.

The candidates whose names appear on first and second place in the select list shall be considered for appointment on two posts of Family Court Judges in regular cadre, and remaining candidates in the select list shall be considered for appointment on 13 temporary posts of Family Court Judges in the order of merit.

1) A candidate must be (a) a citizen of India or (b) a subject of Nepal or (c) a subject of Bhutan or (d) a Tibetan refugee who came over to India before 1<sup>st</sup> January, 1962 with the intention of permanently settling in India or (e) a person of Indian origin, who has migrated from Pakistan, Burma, Sri Lanka (formerly Ceylon), or East African countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganika and Zanzibar) with the intention of permanently settling in India, provided that a candidate belonging to categories (b), (c), (d) and (e) must be a person in whose favour a certificate of eligibility has been given by the Government of Maharashtra.

2) (I) A candidate must, on the last date of submission of on-line application, not be less than 35 years of age;

(II) A candidate must, on the date of publication of advertisement;

(a) has for at least seven years held a Judicial Office in India or the Office of a Member of a Tribunal or any post under the Union or a State requiring special knowledge of law;

**OR**

(b) has for at least seven years been an Advocate of a High Court or of two or more such Courts in succession;

**OR**

(c) (i) is a post Graduate in Law with specialization in personal Law;

**OR**

(ii) has a post Graduate degree in social science such as Master of Social Welfare, Sociology, Psychology/Philosophy with a degree in Law;

**AND**

(iii) has at least seven years' experience in field work/research or of teaching in a Government Department or in a College/University or a comparable academic institute, with special reference to problem of women and children;

**OR**

(iv) has seven years' experience in the examination and/or application of Central/State Laws relating to marriage, divorce, maintenance, guardianship, adoption and other family dispute;

3) In selecting persons for appointment as Judges of the Family Courts,

I) Preference will be given to the persons committed to the need to protect and preserve the institution of marriage and to

promote the welfare of children and qualified by reason of their experience and expertise in the settlement of disputes by conciliation and counseling; and

**II)** Preference will also be given to women.

**4)** Candidates should not send any certificates at the stage of submitting application for the post. A candidate, who is likely to be called for main written examination must submit following original documents alongwith attested copies thereof to the Registrar General of the High Court on the date which will be declared by the High Court :-

**i)** showing he/she is a citizen of India.

**ii)** showing his/her age as on the last date of submission of on-line application e.g. Birth Certificate, Secondary School Certificate, School Leaving Certificate or Certificate of Age, Nationality and Domicile issued by the competent authority.

**iii)** showing he/she has held a Judicial Office in India or the Office of a Member of a Tribunal or any post under the Union or a State requiring special knowledge of law.

**iv)** showing his/her standing as a Legal Practitioner in Court.

**v)** certifying that he/she is of good moral character from two respectable persons, whose names have been mentioned in the on-line application form. Such certificate (original) must have been issued on or after the date of publication of advertisement (as per prescribed **FORMAT No. - I**).

**vi)** certifying that he/she has sufficient knowledge of Marathi so as to enable him/her to speak, read, write and translate Marathi into English and vice versa.

**vii)** other certificates in support of the claim to have one or the other qualifications referred to above.

**viii)** the copy of the marksheet and degree certificate of LL.B. Examination, and other graduation and post graduation examination.

**ix)** the copy of Sanad issued by Bar Council (for Advocate)

**x)** income tax returns, if any, in respect of the immediate preceding three years i.e. 2019-2020, 2020-2021 & 2021-2022.

**xi)** a candidate belonging to backward class must also produce the certificate to the effect that he/she belongs to a community recognised as backward for the purpose of recruitment to the service under the Government of Maharashtra.

**xii)** declaration as to Small Family as appended to the Advertisement **(Form-A)**.

Certificates under Clause No. 4(iii) may be issued by the concerned Head of the Department.

Certificates under Clause No. 4(iv) and (vi) above [for the candidates applying as per Clause No. 2(II)(b)], may be signed in the case of candidates practising in the High Court, by the Registrar (Judicial-I), High Court, Appellate Side, Bombay or by the Prothonotary & Senior Master, High Court, Original Side, Bombay or the Registrars of the High Court Benches at Nagpur, Aurangabad or Registrar, Porvorim-Goa, as the case may be and in case of the Courts other than the High Court by the Principal District Judge of the District or by the Principal Judge of the Court where the candidate has practised. The certifying Authority should state the period during which the candidate has actually practised.

Certificates under Clause No. 4(vi) may be issued by the competent authority concerned [for candidates applying as per Clause No. 2(II)(a)], and by the Principal of the College recognized by a University [for candidates applying as per Clause No. 2(II)(c)].

Certificates under Clause No. 4(vii) may be issued by the competent authority concerned.

The candidate shall produce original certificates for verification at the time of submitting the attested copies of the documents referred to above. Non production of any of above documents may result in disqualification and the decision of the High Court in this regard is final.

**5) Disqualification for appointment in the service :**

No person shall be eligible for appointment to the service -

- (a) if he/she is not citizen of India,
- (b) if he/she is compulsorily retired, removed or dismissed from judicial service or from service in Government or statutory or local authority or failed to complete probation period in judicial service on any post, or in Government or statutory or local authority; or
- (c) if he/she has been convicted of an offence involving moral turpitude or he/she is or has been permanently debarred or disqualified by the High Court or the Union Public Service Commission or any State Public Service Commission from appearing for examinations or selections conducted by it; or
- (d) if he/she directly or indirectly influences the recruiting authority by any means for his/her candidature; or

(e) if he is a man, who has more than one wife living and if a woman, who has married a man already having another wife; or

(f) if he/she has more than two children.

**Explanation :-** For the purposes of this clause, where a couple has only one child, any number of children born out of a single subsequent delivery shall be deemed to be one child.

Provided that, a person having more than two children on the date of commencement of the Maharashtra Civil Services (Declaration of Small Family) Rules, 2005, i.e. 28.4.2005, shall not be disqualified for appointment under this clause so long as the number of children he/she had on the date of such commencement does not increase.

Provided further that a child or more than one child born in a single delivery within the period of one year from the date of such commencement shall not be taken into consideration for the purpose of disqualification mentioned in this clause.

A candidate shall fill up a declaration (Form-A) as to small family appended to the advertisement.

6) No person shall be appointed as or hold the Office of a Judge of the Family Court after he/she attains the age of 62 years.

7) **Preliminary Written Examination :** For the purpose of short-listing the candidates, the High Court may, if necessary, hold preliminary written examination of 200 marks comprising of multiple choice objective type questions which can be scrutinized by the computers. The High Court will call upon the candidates obtaining cut off marks as may be fixed by the High Court to appear for main written

examination, maintaining ratio of 1 : 10 of the available vacancy/ies to the successful candidates. Provided that if there are more than one candidates who have secured identical cut-off marks as fixed by the High Court for maintaining ratio of 1 : 10, all such candidates shall be called upon to appear for main written examination. The marks secured by the candidates in the preliminary written examination will not be taken into consideration for final selection and will not be displayed or communicated to the candidates.

**8) The Main Written Examination and Viva-voce :** The Main Written Examination shall consist of one or more papers carrying total 100 marks each, having duration of three hours. The medium of written examination shall be English.

The High Court will hold viva-voce examination carrying 50 marks of the eligible candidates who have secured not less than 50% marks, provided if there is more than one paper, then candidates who have secured not less than 50% marks in each paper (not less than 45% marks in case of the candidates belonging to communities recognized as backward by the Government for the purpose of recruitment) at such main written examination. Provided that the High Court will call the candidates for viva-voce in the ratio of 1 : 3 of the available vacancies to the successful candidates. Provided also that if there are more than one candidate securing identical marks to be eligible for the last vacancy/ies, to fulfill ratio of 1 : 3 of the available vacancy/ies, then all such candidates shall be called upon to appear for viva-voce. **Provided further that only those candidates who obtain at least 40% of marks in viva-voce test shall be eligible for selection.**

9) If more than one candidate with a degree in law secure equal marks, making them eligible for the last vacancy in the merit list, for deciding preferential right amongst them, following criteria shall be made applicable :

- (i) A Post Graduate Degree in Law with specialisation in Personal Law;
- (ii) A Post Graduate Degree in Social Science such as Master in Social Welfare, Sociology, Psychology, Philosophy;
- (iii) Experience in the field of work/research or teaching in Government Department/s or in College/University or comparable academic Institutions with reference to problems of women and children.
- (iv) Any other criteria in tune with the aim and object of the Family Courts Act as determined by the Appointment and Selection Committee, from time to time.

**Syllabus for Written Examination :-**

1. The Code of Civil Procedure
2. The Code of Criminal Procedure
3. Evidence Act
4. Limitation Act
5. Family Laws
6. Domestic Violence Act
7. English Translation
8. Judgment writing.

10) The preliminary written examination will be conducted at Mumbai, Nagpur and Aurangabad. However, the main written examination will be conducted at Mumbai only. The candidates shall



specifically mention in their application forms the examination centre where they wish to appear for the preliminary written examination. The choice of centre once exercised is not allowed to be changed.

**11)** The candidates will have to appear for preliminary written examination, main written examination and for viva-voce at their own cost and shall not be entitled to claim traveling allowance or any expenses from the High Court. A candidate who is found indulging in unfair practices viz. copying or mis-conduct during the course of examination, using any form of electronic gadgets, tampering with the question papers, influencing any official concerned with the preliminary and main written examination or viva-voce, etc. will be debarred from appearing for preliminary written examination, main written examination or viva-voce, as the case may be, for that time or for any number of years or permanently.

**12)** The decision of the High Court as to the eligibility or otherwise of a candidate for admission to the preliminary written examination, main written examination and viva-voce shall be final.

**13)** The selected candidates prior to their appointment will be sent by the Government, before a medical board and will not be appointed unless the board certifies them to be both mentally and physically fit for the service under the Government.

**14)** The selected candidate will have to execute a Bond in the sum of Rs.2,00,000/- (Rupees Two Lakhs only) to work on the post for a period of 3 years from the date of joining, in default the candidate himself/herself, his/her legal heirs, legal representatives, executors and assignees will be liable to pay/forfeit to the Government the said amount.

15) At the time of appointment, the selected candidates will have to give an undertaking that for a period of two years from the date on which they cease to be in service, they will not practise in any Family Court in the State of Maharashtra.

16) Appointment shall be on probation for a period of 2 years.

Provided that the period of probation, for reasons to be recorded in writing, may be extended by the High Court by such period not exceeding two years.

Provided further that no person shall be deemed to have satisfactorily completed the period of probation unless so declared by a specific Order to that effect.

The High Court may, at any time during the period of probation, discharge from service, a probationer on account of his/her unsuitability for the service, subject to Clause No. 14 of the Advertisement.

17) The candidates shall submit their applications on-line only in the prescribed format through the High Court website i.e. <https://bombayhighcourt.nic.in> The link will open from Monday, 3<sup>rd</sup> April, 2023 after 10.30 a.m. till Tuesday, 25<sup>th</sup> April, 2023 upto 4.30 p.m. only.

18) Before starting filling in on-line application, a candidate must have his/her latest passport size photograph and signature duly scanned in separate files in the “.jpg” format in such a manner that each file size shall not exceed 40KB and shall attach the same at the appropriate places shown in the on-line application form.

**19) Procedure for on-line payment :-**

- a) A candidate is required to pay Registration fees of **Rs.500/-** for candidates belonging to communities recognized as backward by the Government and **Rs.1,000/-** in case of others through '**SBCollect**' – an on-line payment gateway facility, only, (<https://www.onlinesbi.sbi/sbicollect/icollecthome.htm?corpID=917433>) into the account of Assistant Registrar for Registrar General, High Court, Appellate Side, Mumbai. **The fees is non-refundable.** Mere payment of non refundable fees by a candidate does not create any right in favour of the candidate to appear for the Preliminary Written Examination/Main Written Examination.
- b) The on-line payment shall be made by candidates by way of Internet Banking (through SBI or any other Bank)/Credit Cards/UPI/ payment through e-Challan at any branch of State Bank of India. For making payment through e-Challan, candidate has to take print out of e-Challan to submit in any Branch of State Bank of India.
- c) It is to be noted that after making due on-line payment of the fees **successfully** by using any of the above modes for payment, the candidate should mention the generated SBCollect Reference Number **Correctly** in the Column No. 36 of the on-line application form.
- d) Only successful payment transactions shall be considered for the acceptance of the on-line application.
- e) Candidates are directed to submit copy of receipt/e-Challan regarding fees payment, along with printout of on-line application.
- f) High Court Registry does not take any responsibility of the rules/terms and conditions framed or will be framed by '**SBCollect**'. So also the Registry will not entertain any inquiry/claim in any form whatsoever in respect of payment through '**SBCollect**' facility. The

Registry does not take any responsibility of security/claims etc. while making payment (Disclaimer).

**20)** The candidate shall prepare an Annexure/s duly typed, containing the information giving names of the Courts in which and Judges before whom he/she has practised during the period of three years immediately preceding the date of the publication of the advertisement in prescribed Format No. II. Similarly, the candidates shall prepare Annexure enumerating particulars of practice as an Advocate giving the period and total duration of the practice in prescribed Format No. III, regarding Clause No. 27 and 28 of the application and be sent the same alongwith print out of on-line application **by Registered Post A.D./Courier only**, so as to reach the Office of **“The Registrar General, High Court, Fort, Mumbai – 400 032”** on or **before Saturday, 6<sup>th</sup> May, 2023**. The envelope containing printout of application form, copy of receipt/e-Challan regarding fees payment and annexures should be superscribed with the words **“Application for the post of Judge, Family Court-2023”**. The candidates who are already in Government Service shall send the print out of on-line application form and abovesaid documents through proper channel.

**21)** The applications containing incomplete/incorrect information will be rejected. If any of the particulars furnished be found to be false to the knowledge of the candidate, he/she will not be allowed to continue to participate in the selection process and, if appointed, will be liable to be dismissed. The willful suppression of any material fact will be similarly treated.

**22)** The eligibility of the candidate, who is likely to be called for main written examination, shall be finally decided after scrutiny of the

documents produced by him/her on the date given by the High Court. Only when he/she is found eligible upon scrutiny of the documents, he/she will be called to appear for main written examination.

**23)** If the candidate failed to produce the attested copies of certificates and / or the originals, as the case may be, on the date given by the High Court, he/she will not be permitted to appear for main written examination.

**24)** The selection will be made strictly on merit on the basis of marks secured by the candidates in the main written examination and viva-voce.

**25)** Success in the examinations and resultant selection shall confer no right of appointment to the candidate and unless the Government in consultation with the High Court, is satisfied after such enquiry as may be considered necessary, that the candidate is suitable in all respects for appointment, he/she will not be appointed to the post.

**26)** The High Court reserves its right of short listing at the time of scrutiny of applications by applying uniform and reasonable norms.

**Date : 3<sup>rd</sup> April, 2023**

**Sd/-  
(R. N. Joshi)  
Registrar General,  
High Court, Bombay.**

**DECLARATION**

**FORM – A**

I, Shri/Smt./Kum. \_\_\_\_\_ son/daughter/wife of  
\_\_\_\_\_ aged \_\_\_ years, resident of \_\_\_\_\_ do  
hereby declare as follows :

1. That I have applied for the post of \_\_\_\_\_
2. I have \_\_\_\_\_ (Number) living children as on today out  
of which No. of children born after 28<sup>th</sup> April, 2005 is  
\_\_\_\_\_
3. I am aware that, if total number of living children are more than  
two due to the children born after 28<sup>th</sup> April, 2006, I am liable to be  
disqualified for the said post.

**Place :**

**Date :**

**(Name and Signature of Applicant)**

**CHARACTER CERTIFICATE**

This is to certify that Mr./Mrs./Ms. \_\_\_\_\_,  
Son/Daughter/Wife of \_\_\_\_\_, residing  
at \_\_\_\_\_, who is  
applying for the post of Judge, Family Court in the Judicial Service of  
the State of Maharashtra (Recruitment 2023), is well known to me for  
the past \_\_\_\_\_ years and his/her character and conduct are good.

Date :-  
Place :-

Signature of the Person  
Issuing Certificate

**Details of the Person Certifying :-**

Name :

Address :

Mobile/Land Line (with STD Code) No. :

**FORMAT No. - II**

(Details of courts and name of Judges before whom you have practiced during the period of **three years** immediately preceding the date of the publication of the advertisement.)

Sr. No.	Period	Name of the Court	Name of the Judge	Case No.
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				

I, hereby, declare that the above furnished particulars are true, correct and complete to the best of my knowledge and belief.

**Place :**

**Date :**

**(Name and Signature of Applicant)**



I, \_\_\_\_\_, hereby, state that I am enrolled as an Advocate since \_\_\_\_\_ with Bar Council of Maharashtra and Goa and my enrollment number is \_\_\_\_\_. I am practicing as an Advocate at (place/s) \_\_\_\_\_ since the date of my enrollment. I have been practicing as an Advocate for not less than 7 years on the date of publication of the present advertisement. The total duration of my practice as on the date of advertisement as an Advocate is \_\_\_\_\_ years.

I, hereby, declare that the above furnished particulars are true, correct and complete to the best of my knowledge and belief.

**Place :**

**Date :**

**(Name and Signature of Applicant)**

## INSTRUCTIONS

1	A candidate must carefully read the entire advertisement and follow all the instructions/directions before starting actual filling up on-line application, so as to avoid mistakes.
2	The candidates are advised in their own interest to apply on-line well in advance.
3	The High Court of Bombay does not assume any responsibility for the candidates not being able to submit their applications within the last date for any reason.
4	The candidate should provide correct E-mail ID ( <i>Electronic Mail Identification Directory</i> ) and his/her own mobile number on which correspondence can be made, which should not be changed during the recruitment process.
5	The candidates should take due care to upload good quality photograph in the on-line application. If the candidate cannot be identified from the photograph uploaded by them, they shall not be allowed to appear for the examinations.
6	The candidates shall fill on-line application carefully and submit the same by pressing “ <b>I Agree</b> ” button. Thereafter, the candidate cannot change/alter/edit/modify the information submitted in the on-line application. The Registry will not entertain any inquiry/grievance in that respect.
7	After the pressing “ <b>I Agree</b> ” button then generate “ <b>Registration ID</b> ”, the candidates are directed to note down the Registration ID for their future reference. Registration Id will be notified through SMS on the given Mobile Number.
8	“SMS” or “E-mail” alerts for the examinations, will be notified on the registered mobile number and E-mail ID of the candidates.
9	Eligible and interested candidates are required to apply on-line only through the High Court of Bombay website <a href="https://bombayhighcourt.nic.in">https://bombayhighcourt.nic.in</a> No other means/mode of application will be accepted.

10	Admit Cards for Preliminary Written Examination and Main Written Examination, will not be sent by post. The candidates should download the Admit Cards from their respective profile. The candidate must carry hard copy of Admit Card at the time of examinations.
11	No complaint/grievance of the candidate shall be entertained or heard by the High Court in case of their failure to see the Admit Card/call letter on their <b>e-mail account</b> within stipulated time.
12	Period of practice will be counted from date of enrollment till date of advertisement.
13	The candidates are advised to submit copy of receipt/e-Challan regarding fee payment and Annexures in prescribed <b>Format Nos.-II and III</b> as enumerated in Clause No. 20 of the advertisement alongwith the printout of on-line application form duly filled and signed.
14	The candidate shall follow the procedure for on-line payment of fees as mentioned in Clause No. 19 of the Advertisement. It is made clear that on-line payment shall be accepted through Internet Banking / Credit Cards / UPI / payment through e-Challan only. No other mode / means of payment will be accepted. The candidate should mention the SBCollect Reference Number <b>correctly</b> , after making successful payment of fees, in the Column No. 36 of the on-line application form.
15	The character certificate produced on record should be as per prescribed <b>Format No. - I</b> and from same persons, whose names are mentioned in the on-line application form. <b>Such certificate must have been issued on or after the date of publication of advertisement.</b>
16	The candidates are advised to visit the website from time to time. All the relevant information/instructions shall be published on Official website of the High Court of Bombay.
17	The timetable and venue for preliminary written examination, main written examination and viva-voce of the candidates will be displayed on the Official website of the High Court of Bombay.

18	Eligibility of the candidate for main written examination shall be decided after scrutiny of documents and testimonials. Only eligible candidates will be allowed to appear for main written examination.
----	---

19	Name of the candidate shall be removed from the Select List without any notice, if it is revealed that any information supplied by such candidate in the Application Form is incorrect/false.
----	---

\*\*\*\*\*