

**Sub : Fresh filing of Suits, Applications,
Appeal matters under Commercial Courts,
Commercial Division and Commercial
Appellate Division of High Courts Act, 2015.**

PRACTICE NOTE NO. 48

The Advocates and parties appearing-in-person are hereby informed that the Government of India has enacted 'Commercial Courts, Commercial Division, Commercial Appellate Division of High Courts Act, 2015' with effect from 23rd October, 2015.

In terms of the provisions of the said Act, the Commercial Division and Commercial Appellate Division have been constituted in the High Court of Judicature at Bombay. The provisions of the said Act has already been given effect by taking steps to transfer pending Suits, Applications and Appeals to Commercial Division or Commercial Appellate Division.

In accordance with the provision of Section 7 of the said Act, all Suits and Applications relating to the commercial disputes of a Specified Value (the value of the subject matter in respect of Suit as determined in accordance with Section 12 which shall not be less than one crore rupees) to be filed on the Ordinary Original Civil Jurisdiction and Civil Appellate Jurisdiction as the case may be of the High Court, shall be heard and disposed of by the Commercial Division of the High Court. They are hereby directed that with effect from **1st June, 2016**, all fresh Suits, Applications and matters relating to commercial disputes of a specified value as above within a meaning of the said Act shall be filed on the Ordinary Original Civil Jurisdiction and Civil Appellate Jurisdiction as the case may be of High Court on the “Commercial Division” of the High Court of Judicature at Bombay and they shall specifically state in the Cause Title of the such matters relating to commercial dispute that the same is filed in it's “Commercial Division” of the High Court and all categories of the matters shall be

preceded by the words “Comm.” For example, if the Suits relating to commercial disputes of a specified value is filed, it shall be stated that “Comm. Suit No. _____ of 2016” and so on in all types of such matters. Similarly, while presenting the Suits, Applications and matters pertaining to commercial dispute, Advocates and parties shall invariably mention in the Presentation Form correct subject / case type with nomenclature / abbreviation applicable section / category code as per list separately published on the official website of Bombay High Court. The above directions shall, `mutatis mundis', apply to Appeals filed before the Commercial Appellate Division.

They are further informed that such Pleadings shall be in conformity with the provisions of the said Act read with provisions contained in Schedule annexed to the said Act. For example, the “Statement of Truth” as shown in the Appendix to the said Act shall be annexed to such Pleadings.

No matter not in conformity with the provisions of the said Act shall be numbered and be placed before the Commercial Division or Commercial Appellate Division as the case may be for admission / hearing and final disposal.

Dated this 4th Day of May, 2016.

Sd/-

(R.M. Joshi)
Registrar (Judl - I)
High Court, Appellate Side

Sd/-

(D.V. Sawant)
Prothonotary and Senior Master
High Court, Original Side.