

PRACTICE NOTE NO. 49

The Hon'ble Chief Justice is pleased to direct Advocates and Parties appearing in person that in all matters where Evidence Affidavits are to be filed under the provision of Order 18 Rule 4 of Code of Civil Procedure 1908, such Affidavits ordinarily be affirmed in the Court Registry before an Officer of the Court alone. They are hereby further informed that where a witness is unable to come to Court for affirmation, necessary application to be made to the Prothonotary and Senior Master or Registrar (Judicial-I) for appointing Officer of this Court for necessary affirmation by Court Officer at the residence of witnesses under the provision of Rule 207 of Original Side Rules. No such Affidavits affirmed before the Notary shall be accepted by the Registry without leave of the Court, upon the Court inter alia being satisfied that the deponent has been properly identified and further that the contents of the Affidavit have been read over, explained and interpreted to the deponent, where the deponent is not conversant with English and that the Affidavit bears appropriate endorsement to that effect. They are hereby further informed that every such Affidavit should bear at its head a statement that it is an Affidavit under Order 18 Rule 4 of the Code of Civil Procedure, 1908.

Dated this 16th day of September, 2016

By Order,

Sd/-
(R.M. Joshi)
Registrar (Judicial-I).
High Court, A.S., Bombay

Sd/-
(D.V. Sawant)
Prothonotary and Senior Master
High Court, O.S., Bombay.