

PRACTICE NOTES

1 O. S.	Advocates and parties appearing in person should submit the synopsis duly signed alongwith Appeal and Writ Petition. They should also file fresh synopsis at the time of final hearing of Appeal & Writ Petition.	06/11/95
2 O. S.	Advocates and parties appearing in person should invariably file appearance, as per the format given, as and when the matter is called out in Court for admission/ hearing, with the Court Associate/ Sheristedar.	10/04/96
3 O. S.	Advocates and parties appearing in person should submit the Requisition Slip of Acts, Rules and Law Reports at least one hour before the case is expected to reach hearing to the Court Associate/ Sheristedar.	10/04/96
4 O. S.	This Practice Note is suppressed by Practice Note no.8.	24/04/96
5 O. S.	a) Affidavit in the proceeding should be got paginated before placing the same before the Court. (The same is for Advocate) b) Interim or interlocutory Orders passed in the main proceedings or in the Notices of Motion or Chamber Summons or Summons for Judgment should be indexed and kept the proceedings in the chronological order. (Separate office order instructing the Court Office is issued). c) Whenever the Court grants ad-interim or interim order in terms of prayers (a) etc., that entire prayer/s should be reproduced in the order/minutes of the order. (Separate office order instructing the P.A./Steno is issued). (Please see Practice Note No. 25)	17/01/97
6 O. S.	As and when urgent application and/or exparte application is moved for ad-interim or interim relief, Advocate and parties appearing in person should give 48 hours written notice of such urgent application to the other side. They should also file a praecipe setting out the grounds of urgency and should submit the same to the Registry alongwith the proof of service.	19/02/97

<p>7 O. S.</p>	<p>Pursuant to the insertion of section 260A in the Income Tax Act, 1961, Section 27A in the Wealth Tax Act, 1957 and application of proceedings under the Gift Tax Act, 1958 by the Finance (No.2) Act, 1998 w.e.f. 1st October, 1998, the following practice-directions have been issued.</p> <p>a) Appeals under the above provisions of the <u>I.T.A.</u>, W.T.A. and <u>G.T.A.</u> shall be numbered as “ Tax Appeal (IT/WT/GT)”.</p> <p>b) Unless specially assigned, such Appeals including applications, Notice of Motion etc., arising therefrom shall be placed for admission and/or hearing before the Division Bench dealing with tax references.</p> <p>c) Memo of Appeal in such appeal should be in conformity with the requirement of the said sections and should be accompanied by a statement of facts and the orders of the Tribunal as also of the lower authorities, documents, earlier order cited before Tribunal should also be annexed.</p>	<p>30/09/98</p>
<p>8 O. S.</p>	<p>In supersession of the Practice Note No.4 dated 24.4.96, the applications for restoration of the cases dismissed for default should be moved for orders, unless otherwise directed by the Hon'ble the Chief Justice before the regular court.</p>	<p>31/07/99</p>
<p>9 O. S.</p>	<p>Advocates and parties appearing in person are directed to annex sufficient order sheets/proforma to the applications viz. Notice of Motion/ Chamber Summons/ Summons for Judgment etc., while registering, for recording the orders passed on such applications.</p>	<p>19/06/00</p>
<p>10 O. S.</p>	<p>All Income Tax Appeals u/s. 260 A of the Income Tax Act relating to Kolhapur, Nashik, Pune, Raigad, Ratnagiri, Sindhudurg – Oras, Satara, Sangli, Solapur and Thane Divisions shall hereinafter be filed only on the Original Side of the High Court at Bombay. AND that all such I.T. Appeals which are filed on the Appellate Side of the High Court at Bombay and which are pending admission / numbering are directed to be transferred to the Original Side of the Bombay High Court.</p>	<p>1/08/00</p>

11 O. S.	The Office is directed to accept xerox copies of documents annexed to Plaints, Written Statements, Petitions, Appeals, Affidavits etc., provided the said copies are clear, legible and unmarked.	01/06/01
12 O. S.	The Hon'ble Judge taking Company matters will continue to hear and decide winding up applications and all other applications under the Companies Act, 1956 in respect of Companies having Registered Office in the areas falling within the Jurisdiction of Aurangabad Bench on the Original Side of the High Court at Bombay.	14/11/02
13 O. S.	This Practice Note is discontinued <u>w.e.f.</u> 13.7.2004 by Notice dated 12 th July, 2004.	09/12/02
14 A. S.	<p>Procedure in respect of Circulation/ Production for interim or ad-interim relief etc.</p> <p>i) it should be mentioned in praecipe that all office objections are removed.</p> <p>ii) 48 hours written notice be given</p> <p>iii)Urgency must be mentioned.</p> <p>iv)It must be mentioned that legible copies of documents on which applicant wants to rely are produced.</p> <p>v) The matter in which ad-interim relief is granted, the Advocates must give written notice to the other side on the next date of granting of ad-interim relief by Fax/ Speed Post/ Telegram/ Reg. A. D. specifically informing the returnable date If such notice is not given and affidavit of service is not filed, the matter will be dismissed for default.</p> <p>vi)Aforesaid procedure will not preclude the court from granting in appropriate cases ad-interim relief without following aforesaid procedure.</p> <p>vii)If false statement is found to be made in circulation/production praecipe or proper steps are not taken, the matter may be dismissed for default and heavy cost may be imposed on the applicants.</p>	22/09/03

15 A. S.	This Practice Note pertains to the procedure in respect of the Rules framed under the Bombay High Court, Appellate Side Rules, 1960 regarding the presentation of Appeals and Applications.	16/10/03
15-A A.S.	In partial modification of Practice Note 15 – when Judgment, Order, G.R./Circular under challenge is not in English, typed copies of translation in English of such judgment, orders, etc., shall be produced.	11/11/03
15-B A. S.	This Practice Note pertains to the procedure in respect of filing of Civil Appeals and Revisions in this Court when the Decree is not prepared by the Trial Court of the First Appellate Court.	24/02/04
16 A. S.	Assignment of Judicial Work to various Benches by the Hon'ble the Chief Justice from time to time shall be strictly adhered to. A matter shall be listed only before a Bench constituted by the Chief Justice for hearing matters of such category. The Registry shall not list any such matter before any other Bench without the orders of the Chief Justice. In case any matter can not be heard by a Bench so constituted for hearing such category of matters, the Registry shall specifically seek directions of the Chief Justice. This Practice Note shall apply to part-heard matters also.	28/04/04
17 A. S.	While taking up the matters for final hearing chronologically, priority may be given to Supreme Court time bound matters involving extra ordinary urgency or extreme and severe hardship, in the first session. While deciding the chronology of the matters, the year of the institution of the suit shall be taken into account as a criterion for giving preference.	28/06/04
18 O. S.	While taking up the matters for final hearing chronologically, priority may be given to Supreme Court time bound matters involving extra ordinary urgency or extreme and severe hardship in the first session. While deciding the chronology of the matters, the year of the institution of the suit shall be taken into account as a criterion for giving preference.	06/07/04

19 A. S.	This Practice Note pertains to the procedure in respect of expediting the Supreme Court time bound matters, matter of Senior Citizens and matters involving extra ordinary urgency etc., before the respective Hon'ble Courts.	15/07/04
20 A. S.	(i)The matters with the Civil Applications shall be treated as ready for final hearing and placed before the Court except the matters in which the Civil Applications for legal heir is pending and in which other side is not served. (ii)The First Appeal and Second Appeals after R & P is received in which printing is not yet available shall also be treated as ready for final hearing and placed before the Court so that the printing can be dispensed with directing Advocates for the Appellants to supply private paper books within the time limit so ordered by the Court. If private paper books are not supplied within the time granted, the matters will be placed before the Court for dismissal for non-compliance.	04/08/04
21 O.S.	Whenever there is Order passed by the Hon'ble Court in Writ Petitions for issuance of Notice against the Respondents, Advocate for the Petitioner/s or Petitioner/s in person shall give sufficient copies of the pleadings to the Registry and shall deposit a sum sufficient to meet the costs of service by Regd. A.D. on each of the Respondents ordered to be served and in cases where Hamdust is granted, then Petitioner's Advocate/s or Petitioner in-person shall give sufficient copies of the pleading to Registry and the Registry shall hand over sealed packet containing Notice with copy of pleading to the Petitioner's Advocate or the Petitioner in-person who shall at their cost, effect service thereof on the Respondent and file Affidavit of Service.	17/06/05
22 A.S.	Instruction to the Registry in order to ensure preparation of Daily/ Weekly Boards before 4.45 p.m. and consequently delivery of Labai to the Hon'ble Judges by 5.30 p.m. in Their Lordships' Chamber.	24/11/05
23 A.S.	In supersession of directions issued under Practice Note Nos.15 and 15 (A) issued on 16.10.2003 and 11.11.2003 respectively, procedure is described in respect of scrutiny of documents filed with the Registry (A.S.)	10/08/06

24 A.S.	In supersession of directions issued under Practice Note Nos.15 and 15 (A) issued on 16.10.2003 and 11.11.2003 respectively, procedure is described in respect of filing which should be in accordance with requirements of the High Court Appellate Side Rules, 1960.	16/08/06
25 O.S.	In supersession of Directions under Practice Note No. 5 dated 17.1.1997 – All Affidavits shall not be accepted unless they are properly paginated. Advocates/Litigants should ensure the same.	25/09/06
26 O.S.	(i) The existing practice of issuing Notices u/s. 394(1) and 394A of the Companies Act, 1956 to the Official Liquidator and the Regional Director respectively, through the Company Department is dispensed with hereafter, such Notices shall be issued and served directly by the Advocate (s) for the Petitioner (s) / Applicant (s) and /or the parties appearing in person on the Official Liquidator and the Regional Director; and (ii) Henceforth, while filing a Company Application/ Petition in scheme matters (u/s. 391 to 394), the documents mentioned in the said Practice Note shall be annexed to the Application / Petition filed by the Transferee Company only and no such documents shall be annexed to the Application / Petition filed by the transferor company. However, only averments to that effect is to be made.	31.10.07
27 O.S.	At the time of hearing of the Company Petitions filed u/s. 78, 80, 100 to 105 and 391 to 394 of the Companies Act, 1956, the Advocates and parties appearing in person are required to furnish the information in tabular format as mentioned in the said Practice Note.	31.10.07