



Government Of Maharashtra

Business Reform Action Plan 2016 Response by Government of Maharashtra

Area 10a: Commercial Dispute Resolution Enablers

328: Establish a specialized division/bench under the High Court to hear commercial cases

Response: **Yes**

Remarks:

Refer to Para 1 on Page 1 of the attached circular

Supporting Documents:



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Brief note on the subject of Commercial Division and Commercial Appellate Division in High Court at Bombay

The Commercial Division Ordinance, 2015 came into effect from 23rd October 2015. Pursuant to the said Ordinance, the Hon'ble the Acting Chief Justice of the Bombay High Court established Commercial Division and Commercial Appellate Division for deciding the matters constituting commercial disputes.

Thereafter enactment of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 No. 4 of 2016 came into force with effect from 23rd October 2015.

The Hon'ble the Acting Chief Justice has formed two Commercial Appellate Division Benches for dealing with the Appeals provided under section 13 of the Act and Arbitration matters in the commercial disputes under section 10 of the Act, and included the same in the roster with effect from 4th January 2016.

At present, the Division Bench of the Hon'ble Shri Justice V.M. Kanade and the Hon'ble Smt. Justice Revati Mohite Dere is Commercial Appellate Division Bench entrusted with the matters pertaining to the Commercial Division Bench u/s 13 of the Act. Another Division Bench of the Hon'ble Shri Justice Anoop V. Mohta and the Hon'ble Shri Justice G.S. Kulkarni is appointed as Commercial Appellate Division Bench for dealing with Arbitration matters involving commercial disputes u/s 10 of the Act.

The Hon'ble the Acting Chief Justice has also formed three Commercial Divisions of the Hon'ble single Judges. At present the Courts presided over by the Hon'ble Shri Justice K.K. Tated, Hon'ble Shri Justice S.J. Kathawalla and the Hon'ble Shri Justice S.C. Gupte are entrusted with the matters pertaining to the commercial disputes.



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For monitoring the functioning of the Commercial Division and Commercial Appellate Division in the Bombay High Court, the Hon'ble the Acting Chief Justice has constituted the Committee consisting of the Hon'ble Shri Justice Naresh H. Patil, Hon'ble Shri Justice A.S. Oka and the Hon'ble Shri Justice Anoop V. Mohta on 27th January 2016 and meeting of the Committee is scheduled to be held on 8th February, 2016

Commercial Court (District Courts)

The Hon'ble Administrative Committee of the Bombay High Court has constituted the Committee consisting of the Registrar General, Registrar (Inspection -I) and the Registrar (Legal & Research) to take steps for implementation of the Ordinance in relation to the matters pending in the District Courts.

The Registrar (Inspection -I) has collected the requisite data from the District Courts in respect of the commercial disputes and the same is enclosed herewith.

Dated this 5th day of February 2016

R.M.
(R.M. Joshi)
Registrar (Judl.-I)

D.V. Sawant
(D.V. Sawant)
Prothonotary & Sr. Master

V.G. Joshi
(V.G. Joshi)
Registrar (Insp.-I)



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Annexure-1

District Judiciary

Statement showing Category/Year wise information of number of Suits/ Other proceedings of Commercial Disputes, indicating their valuation / Specified value as on 31/12/2015 in the State of Maharashtra, Goa and Union Territories of Diu, Daman and Dadra & Nagar Haveli at Silvassa

Sr. No.	District/U.T.	Between Rs. 1 Crore to Rs. 2 Crores	More than Rs. 2 Crores & upto Rs. 5 Crores	More than Rs. 5 Crores	Total Pendency as on 31/12/2015
1	Ahmednagar	8	4	2	14
2	Akola		Nil		
3	Amravati		Nil		
4	Aurangabad	1	0	2	3
5	Beed	5	0	0	5
6	Bhandara	2	0	1	3
7	Buldana	0	1	1	2
8	Chandrapur	3	1	0	4
9	Dhule		Nil		
10	Gadchiroli	4	0	0	4
11	Gondia		Nil		
12	Jalgaon	2	0	0	2
13	Jalna	2	4	3	9
14	Kolhapur	1	0	4	5
15	Latur	11	5	0	16
16	Nagpur		Nil		
17	Nanded	1	0	3	4
18	Nashik	0	1	0	1
19	Osmanabad		Nil		
20	Parbhani		Nil		
21	Pune	83	72	55	210
22	Raigad-Alibag		Nil		
23	Ratnagiri	3	2	3	8
24	Sangli	1	1	2	4
25	Satara	0	0	4	4
26	Sindhudurg		Nil		
27	Solapur	1	3	1	5
28	Thane	2	2	9	13
29	Wardha	5	0	1	6
30	Yavatmal	1	1	0	2
31	Washim		Nil		
32	Nandurbar		Nil		
33	City Civil Court, Bombay		Nil		
	Total (A)	136	97	91	324
34	North Goa, Panaji	105	53	51	209
35	South Goa, Margao	8	7	6	21
	Total (B)	113	60	57	230
36	Diu,		Nil		
37	Daman	2	1	0	3
38	Dadra & Nagar Haveli at Silvassa	24	10	23	57
	Total (C)	26	10	23	59
	Grand Total A+B+C	275	176	171	624