

**CORRECTION SLIP TO THE BOMBAY HIGH COURT  
APPELLATE SIDE RULES, 1960**

**(REPRINT 1981)**

**Slip No. 79**

In exercise of the powers conferred under section 32 of the Bombay Court Fees Act, 1959, the Honourable the Chief Justice and the Judges of the High Court of Bombay under Articles 235 and 227 of the Constitution of India are hereby pleased to direct that the following amendment be made to the Correction Slip No. 70 to the Bombay High Court Appellate Side Rules, 1960 (Reprint 1981) :—

(I) Substitute the following Rule 5(1)(b) for the existing Rule 5(1)(b) of Chapter XIV of the Bombay High Court Appellate Side Rules, 1960 (Reprint 1981) :—

(b) Such process fees shall be charged and paid within three days from the date of order passed by the Court issuing notice. No process fee shall be charged for serving the process again on the same set of defendants/respondents/non-applicants/accused or their legal representatives till the proceedings is disposed of by the Court.

Provided that failure to pay the process fees within two weeks from the date of order passed by the Court will result in automatic dismissal of the proceedings for non-prosecution.

Vide High Court Notification No. P. 3601/2010, dated 19th April 2010, published in the Maharashtra Government Gazette, Part IV-C, dated 29th April—5th May 2010.



Section 32 of the Bombay Court Fees Act, 1959, the Hon'ble the Chief Justice and Judges of the High Court of Judicature at Bombay is hereby pleased to direct that the following amendment shall be made to the Bombay High Court Process Fees Rules, 2006 :—

(I) Substitute the following Rule 2(b), Rule 3(ii) (b) and Rule 4(b) for the existing Rule 2(b), Rule 3(ii)(b) and Rule 4(b) of the High Court Process Fees Rules, 2006 :—

(b) Such process fees shall be charged and paid within three days from the date of order passed by the Court issuing notice. No process fee shall be charged for serving the process again on the same set of defendants / respondents / non-applicants / accused or their legal representatives till the proceedings is disposed of by the Court :—

Provided that failure to pay the process fees within two weeks from the date of order passed by the Court will result in automatic dismissal of the proceedings for non-prosecution.

(II) Re-numbered the existing Rules 5 and 6 as Rules 10 and 11 of the High Court Process Fees Rules, 2006.

(III) Add the following Rules 5 to 9 after the existing Rule 4 in the High Court Process Fees Rules, 2006 :—

5. Half of the process fee be paid for Respondent other than the 1st Respondent, if they are residing at the "same address".

6. If the Respondent / Defendant / Non-applicant is State of Maharashtra or Union of India or other Public Sector Undertaking or Local Self Government.



Corporation, represented by their respective Standing Counsel, the concerned Counsel may waive service and accept copies, in that case, the requirement to pay process fee to effect service on such Respondent will stand dispensed with.

7. If Bail Application is filed after service on the concerned Public Prosecutor or Officer authorised to accept service on behalf of the office of the Public Prosecutor, there will be no need to pay the fee subject to producing proof of such service.

8. Where the law in force exempts women from paying Court fee in relation to particular category of cases, the women Plaintiff / Applicant will not be liable to pay process fee.

9. In matter where caveat has been filed by the opposite party, the requirement of payment of process fee will stand dispensed with, if the Advocate for that party or the party person waives notice before the Court.

High Court Notification No. P. 1601 / 2008, dated 19th April 2008, published in the Maharashtra Government Gazette, Part IV-C, dated 25th May 2010.