

BOMBAY CITY CIVIL & SESSIONS COURT, GREATER BOMBAY

Old Secretariat Building, Fort,
Bombay- 400 032.

-: CITIZEN CHARTER :-**PREFACE :-**

Bombay City Civil Court, Greater Bombay, has been established in 1948 under The Bombay City Civil Court Act, 1948 (Bombay Act No.XL of 1948) to administer the justice within the limits of Greater Bombay. It has Territorial Jurisdiction upto Mulund on the Central side and upto Dahisar on Western Side.

As far as the Pecuniary Jurisdiction of this Court is concerned, initially, the pecuniary jurisdiction of the City Civil Court was rupees ten thousand which was enhanced to rupees fifty thousand in the year 1977; and by the Bombay City Civil Court and the Bombay Court of Small Causes (Enhancement of Pecuniary Jurisdiction and Amendment) Act, 1986 (Mah.XV of 1987), an unlimited jurisdiction was conferred on the City Civil Court. The validity of the said Amendment Act was challenged in the Bombay High Court. The High Court has upheld the validity of the said Amendment Act. The Supreme Court has also upheld the validity of the said Amendment Act, however, the implementation of the notification to bring the said Act into force was deferred with liberty for the State Government to apply to the Supreme Court for implementation of the said notification placing on record necessary material to show adequacy of infrastructure to its satisfaction.

In the meanwhile, certain developments took place in the matter and the Government of Maharashtra has amended the Bombay City Civil Court Act, 1948 vide Maharashtra Act No. XXV of 2012, called as the Bombay City Civil Court (Amendment) Act, 2012, by which this Court has invested the powers to try the suits not exceeding Rupees One Crore in value, as published in Maharashtra Government Gazette, extra ordinary part-Eight, dated 23rd August, 2012, which came into force from 1st September, 2012 as regards, provisions of sections 1, 2, 3, 5, 6 and 7 of the said Act and as regards provisions of section 4 of said Act, it came into force from 1st October, 2012 vide Law and Judiciary Department, Mantralaya, Notification No.CCS-2911/CR58/D.19, dated 28th August, 2012.

At the beginning of the Court the sanctioned strength of Judges for Bombay City Civil & Sessions Court was four, which is presently increased upto 98, which includes 16 Commercial Courts.

The procedures of City Civil and Sessions Court are governed by The Bombay City Civil Court Act, 1948 and Bombay City Civil and Sessions Court Rules, 1948.

On the Criminal Side, this Court entertains Criminal Cases committed to it for trial by the Magestrial Courts in Mumbai. Criminal trials in respect of cases under various other enactments, such as, Prevention of Corruption Act, NDPS Act, MCOCA, TADA, POTA, NIA, MPID, Electricity Act, POCSO Act etc, are also being conducted in this Court.

In the year 2003, Fast Track Sessions Court, started functioning in the Chemopharma Building, Sewree, Mumbai and in the year 2006, SEBI Court to try the cases under the Securities & Exchange Board of India Act, 1992, came to be established in the premises of the Kurla Magistrate Court at LBS Marg, Kurla (West), Mumbai. Presently, the Fast Track Courts and SEBI Court, are functioning from the Main Branch of this Court at Fort, Mumbai.

Thereafter, another branch of this Court being Borivali Sessions Division, came to be created by the Government Notification, Law and Judiciary Department, No.Mis.2107/5/C.R.3/Desk XI, dated 20th February 2007, which started functioning with 12 Court Halls with effect from 19th September, 2007 at Dindoshi, Goregaon (East), Mumbai, having the jurisdiction to entertain and try the Criminal Cases registered within the limits of Territorial jurisdiction between the territorial of Borivali Taluka i.e. Goregaon to Dahisar on Western Side of City. The Government, Law and Judiciary Department, vide Notification No.Mis.0915/C.R.161/Desk XI, dated 30th September 2015, altered the limits of the Borivali Sessions Division to include therein the local limits of Andheri and of the areas of the Police Stations within Jurisdiction of the Courts of the Additional Chief Metropolitan Magistrates and the Metropolitan Magistrates at Andheri, which shall have Jurisdiction, co-extensive with the Courts of the Additional Chief Metropolitan Magistrates and the Metropolitan Magistrates at Andheri to try the cases, appeals, revisions, etc., arising within the said areas. It has Civil Territorial Jurisdiction from Bandra to Dahisar on Western Side. Presently 16 Courts are functioning at Borivali Sessions Division.

Departmental set-up of Bombay City Civil & Sessions Court, Greater Bombay and its Branch at Dindoshi, Goregaon, Mumbai.

-: CIVIL SIDE :-

1) Board Department :-

All the Plaints in Civil suits, Interlocutory proceedings in the said civil suits, like Notices of Motion, Chamber Summons and other miscellaneous applications are first lodged and filed in Board Department. The said proceedings are numbered and assigned by The Hon'ble Principal Judge to various Courts. Various processes such as Notices to the parties, witness summonses, Writ of Summonses etc, are issued by the Board Department. Writs (Civil) sent by the Hon'ble High Court are received by the Board Department and the concerned clerk immediately brings the said writ to the notice of the concerned Sheristedar of the Court, who in turn put up the said writ before the Hon'ble Judge of that court, for compliance and upon signature of the Hon'ble Judge thereon for having seen/complied with the same and the department thereafter certifies the same to the Hon'ble High Court.

Monthly balance-sheet of the Civil matters is maintained by the Board Department of all the matters in all courts of this Court and sends the same to the Hon'ble High Court, Bombay every month. In the similar fashion the Four Monthly, Half Yearly, Eight monthly and Yearly balance-sheets of the R & P is forwarded by the Board Department to the Hon'ble High Court, Bombay.

2) Decree Department :-

It was a practice that all the Decrees in disposed of suits are prepared by Decree Department. Interim injunction orders were also used to be prepared by this Department. However, nowadays all the Decrees in disposed of suits are prepared in concerned Court itself. The section of this department, which is called Certified Copy Section, issues certified copies of Decrees/Judgments and interim injunction orders. There is also a separate Cell in this Department, which looks after the work of Execution proceedings.

3) Record (Civil) Department :-

All the Disposed of civil proceedings are stored in this Department. The record & Proceedings are produced by this Department, as and when required by any Court or other Department. Destruction of Old record, as per the classification thereof as per Rule, 517 of the Civil Manual, is done by this Department. However now the classification of the Record is done in courts and thereafter only the matters are accepted by the Record Department. Paper books in Appeal Matters (Civil) are prepared and forwarded to the Hon'ble High Court, Supreme Court by the Record Department, as the case may be.

4) Correspondence and Establishment/Administration Department

All the Administration of this Court is looked after by this Department, which includes recruitment of new staff, their postings in various Courts and Departments, promotions of existing staff, maintaining the Seniority and Gradation lists of the staff, Maintaining Confidential Reports of all staff etc. The work of distribution and storage of large number of Stationery items, providing Telephone to Hon'ble Judges, reservation of accommodation in Government Rest Houses outside the Mumbai, for Hon'ble Judges and Officers of this Court, as and when required, the work of preparing Memos, Show Cause Notices, and work regarding Departmental Enquiries is also done by this Correspondence Department. Various processes like Summonses, Notices etc. received from the various Courts all over India, are forwarded for service, to the Chief Metropolitan Magistrate, Mumbai, and court of Small Causes, Mumbai, as the case may be, by this Department. The establishment department is also look after the work of maintaining Leave Record, Service Book and Muster Roll of the Staff. Nowadays the presence of Staff is recorded in Biometric System.

This Department also handles the work of entries in Inward Register of the correspondence received from outside and Dispatch Register of various Outward correspondence.

5) Accounts Department (at MTNL Building Fort, Mumbai) and PLA Section :-

All the work relating to the preparation of pay bills & all other bills of the Class-III and Class-IV staff is looked after by this Department. Apart from this, department is collect the amounts deposited by the litigants and Advocates as per the order of Hon'ble Courts and investing in banks if so ordered by the Court and refunding the said amounts to litigants as per the ordered of Hon'ble Court. Preparing the budget and other consequential work is also done by Account Department, preparing HBA Bills, Telephone Bills, GPF Advances, Medical Bills, Petrol Bills, Reconciliation of Account, Maintaining of PLA Account etc. all the work pertaining to Account is handled by the Account Department. This Department also handles the work regarding pension of Staff and Judges. There is a separate section in Accounts Department known as "G.O. (Gazetted Officers) section" which prepare the Salary bill of the Hon'ble Judges of this Court as well as the Class-I and Class-II Officers of this Court, all maintaining their Service Books, Leave Record, Medical, TADA and other all bills concerning Hon'ble Judges and above Officers.

6) Computer Department :-

Computer Department looks after entire IT related functions of this office under the directions of CPC (Center Project Co-ordinator, High Court, Mumbai) including the training of CIS (Case Information System Software) being introduced in this office, to the Court staff of this office and also provides various citizen centric services to the litigants and advocates. The Hon'ble High Court has also appointed sufficient number of Senior/System Officers at Main and Dindoshi Branch, on contractual basis, for smooth functioning of IT related work. Video Conferencing facility which is made available in all Courts as well as separately in Computer Section, is being taken care of by the officials and System Officers of this Department. E-Court room is also established for filing of Cases and other case related work in Computer System.

Recently in the month of December 2020 e-Seva Kendra has been made functional in the premises of this Court, which provides various services such as e-filing, Case related information, handling inquiries about case status, next date of hearing, and such other related information.

7) Scanning and Digitization (at MTNL Building Fort, Mumbai):-

Under the directions of the Hon'ble High Court, Bombay, this Court has been selected for the Pilot Project of Scanning and Digitization and the outsource agency has already started the work of Scanning and Digitization of the records of disposed off Civil Proceedings.

8) Court Managers:-

For assisting the office administration in infrastructure, IT work, case management etc, the Hon'ble High Court, Bombay, has appointed 02 and 01 Court Managers on contractual basis, at Main and Dindoshi Branch respectively.

:- CRIMINAL SIDE :-

1) Sessions Department :-

This Department is assigned with the work relating to filing of Criminal Cases such as (Regular) Sessions Cases triable by Sessions Court, Special Cases under the NDPS Act, POTA Act, Atrocity Act, MCOC, SEBI Act and Cases filed by Anti Corruption Bureau (State) and Central Bureau of Investigation etc. Apart from this, Bail Applications in Regular Session Cases and Anticipatory Bail Applications are filed in this Department. The Scrutiny and verification of the documents produced by the Sureties for Bail is also done by this Department. This Department

also issues Certified Copies of Regular Bail Orders, Anticipatory Bail orders and Judgments in disposed of Sessions Cases. Issuance and service of all types of Warrants, Proclamation, Notices to the accused and sureties, witness summonses etc., is also done by Sessions Department. This department also handles the work of preservation/return of Valuable and General Muddemal Articles and its disposal at appropriate time.

This department prepare and maintains the Monthly/Four Monthly/Half Yearly/Yearly returns in respect of Criminal Matters, upon collecting the requisite information from the Courts and to submit the same to the Hon'ble High Court at regular intervals.

2)Appellate Department :-

The Criminal Appeals and Criminal Revision Applications against the orders passed by the Ld. Metropolitan Magistrate in the Magistrate triable criminal cases, are filed in this Department, since, with effect from 1st April, 1974. Sessions Court has been invested with jurisdiction to hear Criminal Appeals and Revisions Applications filed against the orders passed by the Metropolitan Magistrate in Greater Bombay. The orders passed by the Assistant Sessions Judges in particular offences, are also challenged before the Additional Sessions Judges of this Court. Apart from this the bail applications preferred by the accused persons against whom the investigation is in progress and the Charge-sheet is not filed or the case is not committed to Sessions Court, are also filed in this Department. The Writs of Bail orders or orders in Criminal Appeals and Revisions, passed by the Hon'ble Court are forwarded to the Magistrates' Court or Police Stations concerned, by this Department.

3)Paper Book (Criminal Section) (at MTNL Building Fort, Mumbai):-

This Department prepares the Paper Book as per the Criminal Manual required in the Criminal Appeal Matters and forward to the Hon'ble High Court and to Hon'ble Supreme Court, as the case may be.

4)Criminal Record Department (at MTNL Building Fort, Mumbai):-

The Record & Proceedings, as well as valuable & Muddemal Articles in disposed of Sessions Cases is stored and maintained by this Department. Periodical destruction of old matters as well as Valuable and Muddemal Articles as per the provisions of Criminal Manual, is also done in this Department.

5)Maintenance Department:-

This department looks after the overall maintenance of the building and Campus of City Civil and Sessions Court, Bombay.

It has to interact and coordinate with the PWD Civil as well as Electrical Division to get the compliance of the Civil & Electrical work of this Court by calling estimates from PWD Civil and Electrical. It has also to look after the accommodation of the newly appointed Hon'ble Judges of this Court. The Maintenance Department is also required to look after the Pool Cars of the Hon'ble Judges of this Court. Recently Guest House for Hon'ble Judges has also been created in the campus of this Court, which also falls under the Maintenance Department.

6)Judges' Library:-

Judges' Library makes available all types of Law Books and citations to the Hon'ble Judges of this court. The Judges' Library has AIR, BLR, Supreme Court Cases, MLJS, Criminal Major Act, various Bare Acts and Commentary thereof, IPC, Cr.P.C, Civil and Criminal Manual, various Acts and other Law Books of various authors which are made available by the Court Librarian to the Hon'ble Judges of this Court. Now on account of Supreme Court Cases on line any Judgment of High Court and Supreme Court are easily available to all Hon'ble Judges of this Court.

:-Other Important Information:-**1)Lok Adalat and Mediation Centre:-**

Lok Adalats are regularly conducted at both the branches as per programme scheduled by the Hon'ble High Court. Mediation Centre has also been established in this Court, for the purpose of conducting Mediation sessions in Civil and Criminal cases, through Trained Judge Mediators and through Trained Advocate Mediators, in respect of the cases referred for Mediation by the Hon'ble Courts.

2)Commercial Courts:-

Under the provisions of Commercial Courts Act, 2015 (as amended by the Amendment Act of 2018) dedicated/exclusive Commercial Courts have been established and presently 6 such Courts (3 at Main Branch and 3 at Dindoshi Branch) are in function.

3)Children Court and POCSO Courts:-

Children Court, one each at Main and Dindoshi Branch, has been notified under the Commission for Protection of Child Rights Act, 2005. Moreover under National Mission for Safety of Women in all 26 (14 +1 at Main Branch and 11 at Dindoshi Branch) Special Courts for trial of Rape Cases and cases under POCSO Act are established on contractual basis, out of which 01 court has started functioning at Main Branch in Court Room No.29, which designated for the said purpose.

POCSO Courts at Main and Dindoshi Branch, under the provisions of Protection of Children against Sexual Offences Act, 2012, are also functioning.

4)Courts for speedy disposal of cases relating to Differently-abled Persons, Senior Citizens and Marginalized Sections of Society:-

Three Courts at Main Branch are notified for disposal of cases relating to Differently-abled Persons, Senior Citizens and Marginalized Sections of Society.

5)Court for disposal of Cases relating to MP and MLA (past and present):-

One Court at Main branch is notified for trial of such cases.

6)Court designated for trial of cases under SC & ST (Prevention of Atrocities) Act, 1989:-

One Court at Main branch is notified for trial of such cases.

7)Hirkani Kaksha:-

‘Hirakani Kaksha’ being room for feeding mothers is made available on 1st Floor of Old Secretariat Building.

8)C.C.T.V. Cameras:-

Under the Mumbai City Surveillance Project, C.C.T.V. cameras are installed at prominent locations in the premises of this Court, for the security purpose.

9)Redressal of Complaints:-

For redressal of complaints/grievances regarding judicial and/or administrative Court related matters, Hon’ble Principal Judge hears the complainants on every Wednesday between 5.30 p.m. and 06.00 p.m.

-: INFORMATION OFFICER :-

The “Registrar” of this Court is the “Public Information Officer” under Right to Information Act, 2005, for this establishment including the Dindoshi Branch, as nominated by the Hon’ble High Court. The applications made under the ‘Right to Information Act 2005’ should be addressed to the Registrar/Information Officer, Bombay City Civil and Sessions Court, Gr. Bombay. The said applications are duly registered in a Register meant for the said purpose and they are given the number accordingly. Information officer is supposed to dispose of the applications received, within 30 days of the receipt of the said applications.

-: APPELLATE AUTHORITY (I) :-

If the applicant who has made the application for any information under the said Act, does not get the information asked for, within the prescribed period of 30 days, or he is aggrieved by the decision taken by the Information Officer, or he is not satisfied with the information supplied to him, he can prefer an appeal against the said decision, within a period of 30 days from the receipt of the said decision, before the 1st Appellate Authority, as nominated by the Hon’ble High Court.

-: APPELLATE AUTHORITY (II) :-

If the applicant is not satisfied by the decision of the 1st Appellate Authority, the appeal can be preferred against the decision, before the State Information Commissioner, within the period of 90 days from the date of receipt of the decision of the Hon’ble 1st Appellate Authority.
