
Bombay Court-Fees (Amendment) Act, 2004**22 of 2004****CONTENTS**

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Bombay Court-Fees (Amendment) Act, 2004**22 of 2004**

PREAMBLE An Act further to amend theBombay Court-fees Act, 1959 WHEREAS both Houses of the StateLegislature are not in session; AND WHEREAS the Governor ofMaharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Bombay Court-fees Act, 1959, for the purposes hereinafter appearing; NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Maharashtra is hereby pleased to promulgate the following Act, namely :-

1. Short Title And Commencement :-

(1) This Ordinance may be called the Bombay Court-fees (Amendment) Act, 2004.

(2) It shall come into force at once.

2. Amendment Of Section 7 Of Bom. Xxxvi Of 1959 :-

I n section 7 of the Bombay Court fees Act, 1959 (hereinafter referred to as "the principal Act"),--

(a) In sub-section (1), after the word "claimed" the words "or challenged" shall be inserted;

(b) to sub-section (1), the following proviso and Explanation shall be added, namely:--

"Provided that, where the State Government is an acquiring body, it shall not be liable for payment of fee in such appeals.

Explanation.-- For the purposes of this sub-section "amount" means

the amount in dispute and it shall not include the amount of statutory benefits."

3. Amendment Of Schedule Ii Of Bom. Xxxvi Of 1959 :-

In Schedule II to the principal Act, --

(a) in article 38A, in clause (c), in column (1), for the letters and word "II or III", the letters and word "II, III or IV" shall be substituted;

(b) in article 38F, in column (1), for the words "Application or reference" the words "Complaint and Appeal" shall be substituted.