

**Bombay Court-Fees (Amendment) Act, 2011**

**25 of 2011**

**[10 August 2011]**

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**Bombay Court-Fees (Amendment) Act, 2011**

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PREAMBLE An Act further to amend theBombay Court-fees Act, 1959. WHEREAS both Houses of the StateLegislature were not in session; AND WHEREAS the Governor ofMaharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Bombay Court-fees Act, 1959, for the purposes hereinafter appearing; and, therefore, promulgated the Bombay Court-fees (Amendment) Ordinance, 2011, on the 8th June 2011; AND WHEREAS, it is expedientto replace the said Ordinance by an Act of the State Legislature; It is hereby enacted in the Sixty-second Year of the Republic of India as follows :-

**1. Short Title And Commencement :-**

- (1) This Act may be called the Bombay Court-fees (Amendment) Act, 2011.
- (2) It shall be deemed to have come into force on the 8th June 2011.

## **2. Amendment Of Section 15 Of Bom. Xxxvi Of 1959 :-**

In section 15 of the Bombay Court-fees Act, 1959 (hereinafter referred to as "the principal Act"), for the words "from the Collector" the words "from the Collector or by way of e-payment, in the manner as prescribed by rules" shall be substituted.

## **3. Amendment Of Section 16 Of Bom. Xxxvi Of 1959 :-**

In section 16 of the principal Act, for the words "from the Collector" the words "from the Collector or by way of e-payment, in the manner as prescribed by rules" shall be substituted.

## **4. Amendment Of Section 17 Of Bom. Xxxvi Of 1959 :-**

In section 17 of the principal Act, for words "from the Collector" the words "from the Collector or by way of e-payment, in the manner as prescribed by rules" shall be substituted.

## **5. Substitution Of Section 37 Of Bom. Xxxvi Of 1959. Collection Of Fees By Stamps Or E-Payment :-**

For section 37 of the principal Act, the following section shall be substituted, namely :--

"37. All fees referred to in section 3 or chargeable under this Act shall be collected by stamps or e-payment."

## **6. Amendment Of Section 39 Of Bom. Xxxvi Of 1959 :-**

In section 39 of the principal Act,--

(1) in clause (c), the word "and" shall be deleted;

(2) after clause (d), the following clause shall be added, namely :--

"(e) the manner of payment of court-fee and refund thereof by e-payment:".

## **7. Amendment Of Section 42 Of Bom. Xxxvi Of 1959 :-**

To section 42 of the principal Act, the following proviso shall be added, namely :--

"Provided that, where court-fee is paid by e-payment, the officer competent to cancel stamp shall verify the genuineness of the payment and after satisfying himself that the court-fee is paid, shall lock the entry in the computer and make an endorsement under his signature on the document that the court-fee is paid and

the entry is locked."

**8. Repeal Of Man. Ord. Xvi Of 2011 And Saving :-**

(1) The Bombay Court-fees (Amendment) Ordinance, 2011, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the principal Act, as amended by the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of the principal Act, as amended.