

**Maharashtra High Court (Hearing of Writ Petitions by
Division Bench and Abolition of Letters Patent Appeals) Act,
1986**

17 of 1986

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CONTENTS

1. Short title and commencement
2. Writ petitions etc. in the High Court to be heard by Division Bench
3. Abolition of appeal from judgment or order of Single Judge of High Court made in exercise of original or appellate jurisdiction

**Maharashtra High Court (Hearing of Writ Petitions by
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An Act to provide for hearing of Writ Petitions by Division Bench and for abolition of Letters Patent Appeals in the High Court of Judicature at Bombay. WHEREAS it is expedient to provide for hearing of Writ Petitions by Division Bench and for abolition of Letters Patent Appeals in the High Court of Judicature at Bombay; It is hereby enacted in the Thirty-sixth Year of the Republic of India as follows :

1. Short title and commencement :-

(1) This Act may be called the Maharashtra High Court (Hearing of Writ Petitions by Division Bench and Abolition of Letters Patent Appeals) Act, 1986.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Writ petitions etc. in the High Court to be heard by Division Bench :-

Notwithstanding anything contained in any law for the time being in force or in any instrument having the force of law, every application for the issue of any direction, order or writ under Article 226 of the Constitution of India and every application invoking the jurisdiction of the High Court under Article 227 or Article 228 of the Constitution of India, pending before the High Court of Judicature at Bombay, on the date of commencement of this Act, or filed on or after the said date, whether the matter in dispute is or has arisen in Greater Bombay or outside Greater Bombay, shall be heard and disposed of by a Division Bench to be appointed by the Chief Justice of the High Court:

Provided that, the High Court may, by rules made after previous publication and with the previous approval of the State Government prescribe that such of the applications referred to above, arising in Greater Bombay or outside Greater Bombay, as may be specified in the rules, may be heard and disposed of by a Single Judge appointed by the Chief Justice.

3. Abolition of appeal from judgment or order of Single Judge of High Court made in exercise of original or appellate jurisdiction :-

(1) Notwithstanding anything contained in the Letters Patent for the High Court of Judicature at Bombay, dated the 28th December 1865 and in any other instrument having the force of law or in any other law for the time being in force, no appeal, arising from a suit or other proceeding (including the applications referred to in section 2) instituted or commenced, whether before or after the commencement of this Act, shall lie to the High Court from a judgement, decree or order of a Single Judge of the High court made on or after the commencement of this Act, whether in the exercise of the original or appellate jurisdiction of the High Court.

(2) Notwithstanding anything contained in sub-section (1), all such appeals pending before the High Court on the date immediately preceding the date of commencement of this Act, shall be continued and disposed of by that Court, as if this Act had not been passed.