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The Maharashtra Civil Courts (Enhancement of Pecuniary Jurisdiction and Amendment) Act, 1977

Act 46 of 1977

Keyword(s):

Civil Courts, Jurisdiction, Enhancement of Pecuniary Jurisdiction

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**THE MAHARASHTRA CIVIL COURTS (ENHANCEMENT OF
PECUNIARY JURISDICTION AND AMENDMENT)
ACT, 1977**

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MAHARASHTRA ACT No. XLVI OF 1977.¹

[THE MAHARASHTRA CIVIL COURTS (ENHANCEMENT OF
PECUNIARY JURISDICTION AND AMENDMENT) ACT, 1977.]

[14th October 1977]

**An Act to provide for the enhancement of pecuniary jurisdiction of the Civil Courts
in the State of Maharashtra and certain other matters.**

WHEREAS it is expedient to provide for the enhancement of pecuniary jurisdiction of the Civil Courts in the State of Maharashtra and for certain other matters hereinafter appearing; It is hereby enacted in the Twenty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Maharashtra Civil Courts (Enhancement of Pecuniary Jurisdiction and Amendment) Act, 1977. Short
title and
commence-
ment.

(2) It shall come into force on such date² as the State Government may, by notification in the *Official Gazette*, appoint.

2-3. (The amendments made by sections 2-3 have been incorporated in the Bombay City Civil Court Act, 1948.)

XV of 1882. 4. In section 14 of the Presidency Small Cause Courts Act, 1882, in its application to the State of Maharashtra (hereinafter referred to as "the Presidency Small Cause Courts Act"),— Amendment
of section 14
of Act XV
of 1882.

(a) for the words "twenty rupees." the words "one hundred rupees." shall be substituted;

(b) the Explanation shall be deleted;

(c) in the marginal note, for the words "twenty rupees." the words "one hundred rupees." shall be substituted.

5. In section 18 of the Presidency Small Cause Courts Act, for the words "three thousand rupees", at both places where they occur, the words "ten thousand rupees" shall be substituted. Amendment
of section 18
of Act XV
of 1882.

6. In section 20 of the Presidency Small Cause Courts Act, for the words "three thousand rupees", at both places where they occur, the words "ten thousand rupees" shall be substituted. Amendment
of section 20
of Act XV
of 1882.

7. In section 22 of the Presidency Small Cause Courts Act, in clause (c), for the words "three thousand rupees," the words "ten thousand rupees," shall be substituted. Amendment
of section 22
of Act XV
of 1882.

8. In section 63 of the Presidency Small Cause Courts Act, and in the marginal note thereto, for the words "two thousand rupees" the words "five thousand rupees" shall be substituted. Amendment
of section 63
of Act XV
of 1882.

9. In section 71 of the Presidency Small Cause Courts Act,—

(a) in clause (a), for the words "two annas in the rupee" the words "fifteen paise in the rupee" shall be substituted; Amendment
of section 71
of Act XV
of 1882.

(b) in clause (b), for the words "the sum of sixty-two rupees eight annas, and one anna in the rupee" the words "the sum of seventy-five rupees, and ten paise in the rupee" shall be substituted.

¹ For Statement of Objects and Reasons, see *Maharashtra Government Gazette*, 1977, Part V, Extra., page 144.

² 1st January 1978, vide G. N., L. & J. D., No. CCS-2774/804(385)X, dated 17th December 1977.



Amendment of section 15 of Act IX of 1887. 10. In section 15 of the Provincial Small Cause Courts Act, 1887, in its application to the State of Maharashtra (hereinafter referred to as "the Provincial Small Cause Courts Act"),—

(a) in sub-section (2), for the words "five hundred rupees" the words "two thousand" rupees shall be substituted;

(b) in sub-section (3), for the words "two thousand rupees" the words "five thousand rupees" shall be substituted.

Amendment of section 28 of Act IX of 1887. 11. In section 28 of the Provincial Small Cause Courts Act, in sub-section (2), for the words "ten thousand rupees" the words "twenty thousand rupees" shall be substituted.

12-18. (The amendments made by sections 12-18 have been incorporated in the Bombay Civil Courts Act, 1869.)

Savings. 19. The amendments made by this Act in any of the Acts aforesaid shall not have any effect in respect of and apply to any suits, appeals or other proceedings of a civil nature filed and pending before any Court on the date of commencement of this Act, and such proceedings shall be continued and disposed of by that Court, as if this Act had not been passed; and any appeal, revision application or other proceedings of a civil nature in respect of any decree or order passed by any Court before the date of commencement of this Act shall be filed before and heard and disposed of by the Court competent to entertain such proceedings before such commencement, as if this Act had not been passed.