

**NOTIFICATION BY THE HIGH COURT OF JUDICATURE AT  
BOMBAY**

**NOTICE**

Notice is hereby given that the Hon'ble High Court is contemplating to amend the Chapter LVIII of the Bombay High Court (Original Side) Rules, 1980 and Chapter XXXIV of the Bombay High Court Appellate Side Rules, 1960 as detailed herein below. Any person interested in lodging any suggestion/objection may do so only by an e-mail addressed to the Registrar (Legal & Research) at [rule-section@bhc.gov.in](mailto:rule-section@bhc.gov.in) on or before 19.06.2024. Suggestion(s) /Objection(s) received till said date shall be taken into consideration by the Hon'ble High Court, thereafter in due course. The proposed amendments are :-

(I)

The draft amendment to Chapter LVIII of the Bombay High Court (Original Side) Rules, 1980.

**CHAPTER LVIII - "RULES TO REGULATE PROCEEDINGS FOR CONTEMPT UNDER ARTICLE 215 OF THE CONSTITUTION OF INDIA AND THE CONTEMPT OF COURTS ACT, 1971"**

1. Rule 1032 be re-numbered as 1032(1).
2. In Rule 1032 insert the following sub-rules 2 to 5 after the rule 1032 sub-rule (1)(e).

(2) If any information is lodged in the office of this Court in the form of a Petition or otherwise, inviting this Court to take action under the Contempt of Courts Act, 1971 or Article 215 of the Constitution of India, where the informant is not one of the persons named in Section 15 of the Contempt of Courts Act, 1971, the aforesaid Petition or information received shall be placed before the Chief Justice in Chambers for appropriate orders.

(3) The office shall place the same alongwith all other relevant papers before the Chief Justice in Chambers, within fifteen days of receipt of the same.

(4) In the event of the Chief Justice directing cognizance to be taken on the same, it shall be put up before the appropriate Division Bench in form of a Registered Petition, within fifteen days;

(5) The office shall maintain a separate register for registering such Petitions.

3. In Rule 1041, substitute the word **'summaries'** with **'summarise'**.

4. In Rule 1042 (i) the **'comma'** (,) at the end of the word 'Petitioner' **be replaced** with a **'Semicolon'** (;).

5. In Rule 1042 (ii) the **'full stop'** (.) at the end of the word 'contempt' **be replaced** with a **'Semicolon'** (;).

6. In Rule 1042 (iii) the **'question mark'** (?) at the end of the word 'any' **be replaced** with a **'Semicolon'** (;).

7. In Rule 1042 (iv) the **'comma'** (,) at the end of the word 'parties' **be replaced** with a **'Semicolon'** (;).

9. After the end of Rule 1053-A, insert following "Form I".

**FORM I**

**Notice**

**IN THE HIGH COURT OF JUDICATURE AT  
BOMBAY APPELLATE / ORIGINAL SIDE  
Criminal/Civil**

**CONTEMPT PETITION No....**

**In**  
**(.....)**

..... **Petitioners.**  
..... **Versus**  
..... **Respondents.**

**To**  
.....  
.....  
.....  
.....

Whereas upon considering the material before it, Honourable Court is satisfied that there exists a prima facie case for issuance of a notice to considering action under Contempt of Courts Act against you;

Whereas the above named petitioner/s has/have presented Contempt Petition through his/her/their Advocate S/Shri ..... praying for taking action under Contempt of Courts Act against you;

Whereas a reference is made to this Hon'ble High Court by .....; a Court subordinate to the Hon'ble High Court, praying for taking action under Contempt of Courts Act against you;

As stated in the accompanying copy of—  
(a) Material relied upon i.e. ....  
(b) and (c) copy of Contempt Petition.  
(d) and (e) a copy of reference.

And whereas the same having been registered in this Court as Contempt Petition and this Court having on the ..... day of .....20..... passed the following order :—

‘.....  
.....  
.....’

Take therefore notice that the aforesaid Contempt Petition has been fixed for hearing on the ..... day of..... 199..... on which date you shall appear in person before this Court and shall continue to remain present during hearing on all subsequent dates to which this Court may seem convenient to fix the matter, till the proceeding is finally disposed off by the order of the Court; and

To show cause as to why the action under Contempt of Courts Act should not be taken against you.

In case of your failure to appear as directed above and to show cause this Court shall proceed to pass such orders as may deem fit and proper.

Witness Shri ..... Chief Justice at Bombay, aforesaid this..... day of..... 20.....

By order and in the name of the Court

(Registrar General)

(II)

The draft amendments to Chapter XXXIV of the Bombay High Court Appellate Side Rules, 1960.

**CHAPTER XXXIV - "RULES TO REGULATE PROCEEDINGS FOR CONTEMPT UNDER ARTICLE 215 OF THE CONSTITUTION OF INDIA AND THE CONTEMPT OF COURTS ACT, 1971."**

1. Existing Rule 5 be re-numbered as Rule 5(1).
2. In Rule 5, the sub-rules '(f)', '(g)', '(h)' and '(i)' be re-numbered as sub-rules '(2)', '(3)', '(4)' and '(5)' respectively.
3. In Rule 15 (i) the 'comma' (,) at the end of the word 'Petitioner' be replaced with a 'Semicolon' (;).
4. In Rule 15 (ii) the 'full stop' (.) at the end of the word 'contempt' be replaced with a 'Semicolon' (;).
5. In Rule 15 (iii) the 'question mark' (?) at the end of the word 'any' be replaced with a 'Semicolon' (;).
6. In Rule 15 (iv) the 'comma' (,) at the end of the word 'parties' be replaced with a 'Semicolon' (;).

**Bombay**

**Date : 5<sup>th</sup> June 2024**

**Sd/-**

**Registrar (Legal & Research)**