8/29/10

MOST URGENT
TIME LIMIT

Tel. & Fax: No.(O): 22673619

No.R(J)/ 265 /2010.
Dated : 4th August 2010.

From : Mangesh S. Patil
Registrar (Judl-I)
High Court, A.S.
Bombay.

To, The Principal District and Sessions Judge,

Subject : Directions in respect of un-invested amount.
Ref : Order dtd. 27/7/2010 in C.A. No.2329 of 2010 in F.A. No.1585 of 2003.

Sir/Madam,

With reference to the subject noted above, I am to inform that while hearing the C.A. NO.2329 of 2010 in F.A. NO.1585 of 2003, the Court (Coram : A.M.Khanwilkar and A.S.Sayed, JJ) on 27/7/2010 has given following directions:

1. The amount deposited by any party to the proceeding, if no application for withdrawal is filed within four weeks from the date of deposit, steps be taken to invest that amount in appropriate long term Fixed Deposit Scheme in a Nationalized Bank which as far as possible does not levy any penal charges for premature withdrawal of the Fixed Deposit.

2. In cases where application is filed and Court has permitted withdrawal of the amount but the party fails to withdraw the same within specified time, the Registry should take steps to invest the said amount in appropriate Fixed Deposit Scheme in the same manner as indicated earlier on expiry of the said period.

3. In cases where no specified time is provided by the Court for withdrawal, after lapse of six weeks from the date of the order the Registry shall take steps to invest the amounts in the same manner as mentioned earlier.

4. We further direct the Officials of all the Courts in Maharashtra to take immediate action to invest the uninvested amount shown in "C" Register in appropriate Fixed Deposit Scheme in any Nationalized Bank.

5. We further observe that during inspection of the Court record, which is routinely undertaken periodically emphasis be placed on scrutiny of "C" Register to reassure that no amount remains uninvested by any Court beyond reasonable period referred to earlier. If it is noticed that inspite of instructions issued in that behalf the amount has remained uninvested, the Accounts Officer/ Nazir would be personally responsible and would be proceeded departmentally".

I may further to inform you that today the Court has passed a further order and has directed all concerned to comply the above directions and take urgent steps for investing the amounts. The Court has sought necessary compliance/progress report of the above directions on or before 13th August 2010.

I therefore, request you to kindly take necessary steps in pursuance of the directions of the Court and submit your report to me for being placed before their Lordships in time.

The copy of the order dtd.27/7/2010 is available on the High Court Website and you are requested to download it.

Yours faithfully,

(Mangesh S. Patil)
Registrar (Judicial-I)