

PRACTICE NOTE (ORIGINAL SIDE) NO.57

It is observed by the Hon'ble Court in the order dated 22nd January 2020 passed in Chamber Summons No.950 of 2018 in Execution Application (L) No.1710 of 2018 that a proper mechanism to deliver the warrants is required to be worked out by the Office, so that the orders of this Court cannot stand defeated by non-delivery of the warrants. To avoid difficulties being faced by the Department for executingailable and non-ailable warrants in Original Side matters, it is decided to follow the practice as under:-

- To avoid inconvenience, the application forailable or non-ailable warrants shall mention the correct address of the concerned Police Station by which theailable/Non-ailable warrant is to be executed. Similarly, after the order to issue warrant is passed by the Hon'ble Court, the party seeking the warrant shall, within two days, inform to the registry the name and address of the Police Station by which it is to be executed, failing which an office note shall be put up before the Court concerned.
- As and whenailable and non-ailable warrants are issued in the matters, the same will be executed through the Commissioner of Police in Mumbai City and other Cities, where there is a Police Commissionerate and through the Superintendent of Police in District areas, where there is office of Police Superintendent.

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- The warrants to be executed in Mumbai and Suburban areas will be handed over to the Office of the Commissioner of Police, Greater Mumbai.
- The Warrants which are to be executed outside Mumbai, will be collected by the Advocate for the party, at whose instance warrant is issued. The said Advocate will submit to this Registry acknowledgment of delivery of warrant to the concerned office of Commissioner of Police or to the Superintendent of Police, as the case may be.

However, the Advocates are at liberty to deliver the warrant directly to the Police Station concerned, if so advised by the office of the Police Commissioner/Police Superintendent, as the case may be.

Dated this 04th day of February 2020.

Sd/-

Prothonotary and Senior Master