

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 900/2020

INDIAN COMMERCIAL AND ARBITRATION
BAR ASSOCIATION (ICABA)

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

FOR ADMISSION

Date : 11-02-2025 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE K.V. VISWANATHAN
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) :

Mr. Arvind Datar, Sr. Adv.
Mr. N.l Rajah, Adv.
Ms. Payal Chawla, Adv.
Ms. Anannya Ghosh, AOR
Ms. Mrinalini Mishra, Adv.

For Respondent(s) :Mr. Tushar Mehta, SG

Mr. K. Parameshwaran, Adv.
Ms. Vanshaja Shukla, Adv.
Ms. Ruchi Gour Narula, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. Arvind Kumar Sharma, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. The present Writ Petition seeks a Writ of Mandamus or any other appropriate direction to direct the respondents to implement all the provisions of the Commercial Courts Act, 2015 in a time bound manner.

2. When the matter was taken up on 05.09.2023, this Court directed the Union of India to apprise the Court about the present status regarding constitution of commercial courts in different States and Union Territories.

3. Today, when the matter was taken up, Mr. Arvind Datar, learned senior counsel for the petitioner during the course of arguments, submitted that particulars need to be called for on the following three aspects from the Registrar Generals of the various High Courts:

(a) Number of commercial disputes pending before district courts and other courts, having original civil jurisdiction and number of filings and disposal in the past three years.

(b) Details of the number of Commercial Courts and Commercial Appellate Benches with respect to each district/other court having original civil jurisdiction.

(c) Details of infrastructure available for functioning of Commercial Courts and Commercial Appellate Benches.

4. Considering the fact that this Court has sought a status report from the Union of India, it has been rightly submitted by Mr. Arvind Datar, learned senior counsel and Mr. Tushar Mehta, learned Solicitor General appearing before us that the inputs on the above aspect would be essential and they can only be furnished by the Registrar Generals of the respective High Courts in the States.

5. The Registrar Generals of various High Courts, arrayed as respondents herein, may be informed of this order passed today. The Registrar Generals may furnish the above details within a period of four weeks to the Secretary General of this Court. The office of the learned Solicitor General will be communicated of the said details by the office of the Secretary General of this Court,

as and when the details are received from the High Courts.

6. Since the matter is of considerable importance, we are hopeful that the particulars will be furnished within the time stipulated.

7. The Union of India may after the details are collated, file the status report on or before 15.04.2025.

8. Liberty to serve the order on the Standing Counsel for the States for onward communication to the State Governments. Liberty to serve the order Dasti on the Registrar Generals of the different High Courts.

9. Post the matter for further consideration on 22.04.2025 at 2:00 p.m.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR