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Report on the Administration of Civil and Criminal Justice in the Province of Bombay, 1940

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REPORT ON THE ADMINISTRATION OF CIVIL JUSTICE IN THE PROVINCE OF BOMBAY DURING THE YEAR 1940.

1. *Judicial Staff*—(Statement No. 1).—The Judicial Staff employed in the Province on 31st December 1940 and engaged partly or wholly in Civil cases consisted of 10 permanent High Court Judges, 1 temporary Additional High Court Judge, 17 District Judges, 1 Joint Judge, 11 Assistant Judges (including 2 Assistant Judges under training), a Chief Judge and 5 Judges of the Presidency Small Cause Court, 2 Provincial Small Cause Court Judges, 24 First Class Subordinate Judges and 101 Second Class Subordinate Judges. In addition, the Registrars of the Small Cause Courts of Poona and Ahmedabad exercised the powers of a Small Cause Court Judge. There were also 3 Inamdars and Jahagirdars exercising the powers of a Subordinate Judge under Regulation XIII of 1830 and 46 Village Munsiffs appointed under the Deccan Agriculturists' Relief Act, XVII of 1879.

THE CHIEF JUSTICE.

The Honourable Sir John W. F. Beaumont, Knight, presided over the High Court from 1st January to 31st December 1940.

PUISNE JUDGES.

The Honourable Sir Cecil Patrick Blackwell, Knight, from 1st January to 21st July and from 22nd August to 31st December 1940. His Lordship was on leave from 22nd July to 21st August 1940.

The Honourable Mr. Justice R. S. Broomfield, I.C.S. from 1st January to 14th February 1940, from 21st April to 16th June and from 20th June to 31st December 1940. His Lordship was on leave from 15th February to 20th April and from 17th June to 19th June 1940.

The Honourable Mr. Justice B. J. Wadia, from 1st January to 31st December 1940.

The Honourable Mr. Justice H. J. Kania, from 1st January to 31st December 1940.

The Honourable Mr. Justice N. J. Wadia, I.C.S., from 1st January to 31st December 1940.

The Honourable Mr. Justice H. V. Divatia, from 1st January to 31st December 1940.

The Honourable Mr. Justice A. S. R. Macklin, I.C.S., from 1st January to 8th June and from 5th July to 31st December 1940. The services of His Lordship were placed at the disposal of the

Government of the Central Provinces and Berar for holding an enquiry into the criticisms of Nagpur High Court in connection with the affray at Chandur-Biswa from 9th June to 4th July 1940.

The Honourable Mr. Justice K. B. Wassoodew, from 1st January to 31st December 1940.

The Honourable Mr. Justice M. A. Sonjee, from 1st January to 31st December 1940.

The Honourable Mr. Justice K. C. Sen, I.C.S., acted as an Additional Judge from 1st January to 31st December 1940.

HIGH COURT.

I. ORIGINAL JURISDICTION.

2. *Original Suits for Disposal*—(Statement No. 5).—The number of civil suits pending on the Original Side of the High Court at the end of the year 1939 was 1,465 including 8 suits received by transfer from the Bombay Court of Small Causes. The number instituted during the year 1940 was 2,316 including 8 suits received by transfer from the Bombay Court of Small Causes and 180 suits were restored (including 1 suit received from the Bombay Court of Small Causes) during the year. The above totals 1,465, 2,316 and 180 make an aggregate of 3,961 suits for disposal in 1940 as against 3,718 in 1939.

3. *Original Suits Disposed of*—(Statement No. 5).—The number of suits decided was 2,112 including 6 suits received by transfer from the Bombay Court of Small Causes. The number left undisposed of at the end of the year was 1,849 including 11 suits received by transfer from the Bombay Court of Small Causes. This number is 384 more than the corresponding number at the end of the previous year. Of these 1,849 suits, 722 were ready for trial and in arrear, an increase of 327 suits over the corresponding figure of the previous year. There were 655 suits whose hearing had been pending for over one year. This is an increase of 138 suits on the figure of the previous year.

The average duration of suits disposed of during the year under report was as shown in the table given below :—

Number of suits disposed of.	Manner of disposal.	Average duration (in days).
431	Without trial	316
938	<i>Ex parte</i>	133
10	On admission of claims	53
396	Compromised	225
342	After full trial	265

4. The number of 1,849 suits left undisposed of at the end of the year 1940 is made up of the suits filed in the following years :—

1	suit of the year 1929.
3	suits of the year 1930.
1	suit of the year 1931.
2	suits of the year 1933.
8	suits of the year 1934.
15	suits of the year 1935.
24	suits of the year 1936.
62	suits of the year 1937.
166	suits of the year 1938.
373	suits of the year 1939.
1,194	suits of the year 1940.
<hr/>	
1,849	

5. *Suits Instituted and Disposed of under the Testamentary and Intestate Jurisdiction.*—The number of suits pending at the end of the year 1939 was 14. The number instituted during the year 1940 was 9. Of these 23, 16 were decided and 7 remained pending at the close of the year.

Of the suits decided :—

- 2 were dismissed for want of prosecution, the average duration being 742 days ; and
- 14 were decided after full trial, the average duration being 205 days.

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There were 4 suits pending over one year at the close of the year.

6. *Suits instituted and disposed of under the Admiralty and Vice-admiralty and Prize jurisdiction.*—During the year 1940, 7 causes were instituted in the Prize Court. All of them were pending at the close of the year.

The stages to which the proceedings in the causes have reached were as follows :—

In one cause, the ship has been ordered to be delivered to the Crown.

In two causes, the Marshall of the Prize Court has sold the goods.

In three causes the goods have been arrested and placed in the custody of the Marshall.

In one cause, the goods have been seized by the officers of Customs, and writs have been issued calling upon the owners and parties interested to enter appearances.

7. *Suits instituted and disposed of under the Parsi Chief Matrimonial jurisdiction.*—There were 11 suits pending at the end of the year 1939 and the number instituted during the year 1940 was 16. Of these 27 suits, 17 were decided and 10 remained pending at the close of the year.

There was 1 suit pending over one year at the close of the year.

Of the suits decided :—

- 1 was withdrawn, the average duration being 77 days;
- 10 were decreed *ex parte*, the average duration being 114 days; and
- 6 were decreed after contest, the average duration being 202 days.

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8. *Insolvency Petitions.*—The number of petitions pending at the end of the year 1939 was 1,223 and the number instituted during the year 1940 was 347 and 29 were restored during the year making a total of 1,599 for disposal in 1940. Of these, 488 were decided and 1,111 remained pending at the close of the year 1940.

There were 907 petitions pending over one year at the close of the year.

Of the petitions decided :—

- 429 were decided *ex parte*, the average duration being 757 days; and
- 59 were decided after full trial, the average duration being 527 days.

488

9. *Insolvency notices.*—The number of Notices issued during the year 1940 under section 9(1) of the Presidency Towns Insolvency Act 1909, was 307. Of these, 270 were disposed of and 37 remained pending at the close of the year.

Of the Notices disposed of :—

- 15 were withdrawn.
- 7 were set aside as the requirements of the Notice were complied with.
- 35 were dismissed under Rule 52 (D) of the Insolvency Rules.
- 198 were disposed of by filing affidavits of service; and
- 15 were dismissed after contest.

270

10. *Appeals to the Privy Council.*—Nine Appeals were pending from the previous year and 2 were admitted during the year making a total of 11 (including one under the Income Tax Act) for disposal in the year 1940.

Of the 11 appeals:—

- 3 were decided by the Privy Council who confirmed the orders of the Appeal Court.
- 2 were decided by the Privy Council who varied the orders of the Appeal Court; and
- 1 was decided by the Privy Council and the High Court Order appealed from was set aside.
- 1 was dismissed by the Appeal Court for want of prosecution; and
- 1 was allowed to be withdrawn by the Appeal Court.
- 2 were pending before the Privy Council in England. Records in both these appeals were despatched during the year 1940.
- 1 was pending in the High Court.

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11. *Appeals to the Federal Court.*—During the year under report, two appeals were preferred to the Federal Court; but before the Record was despatched, they were withdrawn.

12. *Income-Tax References.*—Three references under section 66 of the Income-Tax Act, 1922, were filed during the year under report and all of them were disposed of in the same year.

There were also 3 applications pending at the close of the year 1939 under section 66 (3) of the Income-Tax Act and 17 were presented during the year. Of the 20 applications, 9 were disposed of during the year and 11 remained pending at the close of the year 1940.

13. *References to take accounts.*—The number of references to take accounts, to hold sales of immovable properties directed to be sold by the Court under Mortgage Decrees or otherwise, to make inquiries as to estates to be administered and those to be partitioned, as to debts and incumbrances, as to allowances to be made for maintenance, on question of title, to settle conveyances, to frame Schemes in charity matters, on question affecting minors, as to whether suits filed by next friends were for the benefit of the minor plaintiffs and in like matters pending on 1st January 1940 was 191 and 126 references were filed in 1940 in the office of the Commissioner for taking accounts making a total of 317 for disposal. The number of references disposed of by him during the year 1940 was 100, leaving 217 pending at the close of the year.

In addition to such references the Commissioner took and passed a large number of accounts of Receivers and Liquidators which in the year under report numbered 293 and 49 respectively.

During the year under report, 15 warrants of sale of immovable properties were lodged in the Commissioner's office under High Court Rule 516. 7 accounts were filed with the Commissioner under Rule 454 for ascertaining the amounts to be deposited with the Accountant General, High Court, Bombay, on behalf of minors. The Commissioner also settled during the same period 5 conveyances.

14. *Petitions for Probate and Letters of Administration, etc.*—During the year 526 petitions for Probate and Letters of Administration and Succession Certificates, 85 pauper petitions for leave to sue or defend in *forma pauperis*, 45 petitions under the Indian Companies Act, 15 petitions under the Indian Trust Act, 1 reference under the Land Acquisition Act and 214 petitions under the Guardian and Wards, Lunacy and Arbitration Acts, etc., making a total of 886 were filed for disposal.

Awards under the Indian Arbitration Act:—The number of Awards filed during the year was 156.

15. *Applications for Execution of Decrees*—(Statement No. 13).—The number of applications pending at the commencement of the year was 676 and the number of applications filed during the year was 1,291, making a total of 1,967 for disposal. Of these, 305 were disposed of by transfer to other Courts. In 127 applications, satisfaction was obtained in full and in 14 satisfaction was obtained in part. 794 applications were wholly infructuous making a total of 1,240 applications disposed of, and 727 applications were pending at the close of the year.

The number of Decrees, etc., received from other Courts for execution during the year was 204.

The number of Dalkhasts (Applications for sale in Decrees of Orders) disposed of during the year in which immoveable property was sold was 39.

16. *Receipts and Expenditure.*—The following statement shows the receipts and expenditure of the High Court on the Original Side for the year 1940:—

<i>Receipts.</i>		Rs.	a.	p.
Fees realized by means of stamps	...	9,37,563	9	0*
Probate and Administration duty	...	6,77,069	14	0
Admission fees for attorneys and fees for Advocates, (O. S.) and Articled Clerks' Examinations.		9,518	0	0
Other miscellaneous cash receipts credited to Government during 1940.		7,776	11	0
Total	...	16,31,928	2	0
<i>Expenditure.</i>				
Salary of the Honourable the Chief Justice and the salaries of four Puisne Judges.		2,50,228	11	0
Salaries of Gazetted Officers	...	2,15,031	1	0
Salaries of the Establishment on the Original Side.		3,76,501	4	0
Contingencies	... ..	55,939	4	0
Total	...	8,97,750	4	0

* This figure includes Rs. 1,86,265 being the income of the Office of the Court Receiver and Liquidator. This figure of income is subject to any adjustment that may be required to be made if any sums charged by the Court Receiver and Liquidator are wholly or partially disallowed by the Commissioner for taking accounts and his decision, if appealed from, is upheld by the Court or the Judge in Chambers.

17. *Taxing Officer*.—The number of bills taxed during the year 1940 was as follows :—

Between party and party	...	...	468
Between attorney and client	...	...	168
			636

The Court fees for taxation during the year amounted to Rs. 56,178-9-0. This sum is also included in the items "fees realized."

18. *Financial Results*.—The following figures exhibit the financial results for the last three years, including under the head of Expenditure the Salaries of the Judges :—

Year.	Probate and Administration duty.		Other receipts.		Expenditure.	
	Rs.	a. p.	Rs.	a. p.	Rs.	a. p.
1938	13,46,242	4 0	10,80,740	4 0	10,20,720	1 0
1939	7,58,717	1 0	9,81,799	11 4	9,20,470	6 0
1940	6,77,069	14 0	9,54,858	4 0	8,97,750	4 0

HIGH COURT.

II. APPELLATE JURISDICTION.

Appeals from High Court Decrees under Section 15 of the Letters Patent.

19. (*Statement No. 7*).—Twelve appeals from decrees on the Original Side of the High Court were pending at the beginning of the year and 14 were filed during the year. Of the total 26, 19 were decided and 7 remained pending at the close of the year.

The number of appeals disposed of was 5 more than in 1939.

These 19 appeals were decided as under :—

- 1 was dismissed for want of prosecution.
- 1 was allowed to be withdrawn.
- 11 Decrees of the Courts of the first instance were confirmed.
- 2 Decrees of the Courts of the first instance were modified.
- 4 Decrees of the Courts of the first instance were reversed.

There was one appeal which was pending for more than a year at the close of the year.

The average duration of appeals which were dismissed or withdrawn was 117 days and that of the appeals which were confirmed, modified or reversed was 202 days.

20. (*Statement No. 8*).—Twenty-three appeals from Orders on the Original Side were filed during the year and 14 were pending at the beginning of the year. Of the total 37, 27 were decided and 10 remained pending at the close of the year. The number of such appeals disposed of was 8 more than in 1939.

The results of these 27 appeals were as follows:—

7 were dismissed for want of prosecution.

1 was allowed to be withdrawn.

11 Orders of the Courts of the first instance were confirmed.

8 Orders of the Courts of the first instance were reversed.

27

There were 4 appeals which were pending for more than a year at the close of the year.

The average duration of the appeals which were dismissed or withdrawn was 170 days and that of the appeals which were confirmed or reversed was 122 days.

21. (*Statement No. 7*).—On the Appellate Side, 38 Letters Patent Appeals from High Court Decrees or Orders were filed during the year and 43 were pending at the beginning of the year. Of the total 81, 47 were decided and 34 (including 15 over a year old) remained pending at the close of the year. The number of appeals disposed of was more by 10 than in 1939.

The results of these Appeals were as under:—

23 Dismissed or not prosecuted.

21 Decrees confirmed.

3 Decrees reversed.

47

The average duration of the Appeals under the Letters Patent which were dismissed or not prosecuted was 68 days and that of the Appeals which were confirmed or reversed was 565 days.

Appeals from the Subordinate Civil Courts.

22. *Appeals to the High Court from the Subordinate Courts.*—(Statements Nos. 7 and 8).—The statement noted below* shows the number of First and Second Appeals from Decrees and Appeals from Orders of the Provincial Courts of Original and Appellate Jurisdiction, which came up before the High Court and were decided during the year. The Institutions of First Appeals, Second Appeals and Appeals from Orders were more by 54, 120 and 17 respectively than in 1939.

*Appeals.	Pending at the end of 1939.	Instituted.	Otherwise received.	Disposed of.	Pending at the end of 1940.
Appeals from Original Decrees.	607	380	4	378	613
Appeals from Appellate Decrees.	1,305	1,045	...	1,046	1,304
Appeals from Orders ...	56	71	...	74	53
Total ...	1,968	1,496	4	1,498	1,970

23. *Appeals disposed of*—(Statements Nos. 7 and 8).—The disposals of First Appeals show a decrease of Rs. 34 over the figure of the previous year; while those of Second Appeals and Appeals from Orders show an increase of 151 and 14 respectively.

24. *Appeals pending*—(Statements No. 7 and 8).—At the close of the year, 613 First Appeals, 1,304 Second Appeals and 53 Appeals from Orders were pending. The aggregate total of pending Appeals is more by 2 than in 1939.

The average duration of Appeals in the High Court which were dismissed or not prosecuted and of those which were confirmed, modified, reversed or remanded was as follows:—

	Confirmed, modified, reversed or remanded.	Dismissed or not prosecuted.
	Number of days.	Number of days.
First Appeals ...	789	59
Second Appeals ...	696	93
Appeals from Orders ...	453	70

25. *Comparative Statement of Civil Work of the High Court during the past four years—(Statements Nos. 7 and 8).*—The following statement shows in detail the Civil business which has come before and has been disposed of by the High Court in its Appellate Jurisdiction during each of the past four years:—

	Instituted.				Disposed of			
	1937.	1938.	1939.	1940.	1937.	1938.	1939.	1940.
First Appeals (from Original Decrees).	373	366	326	380	674	489	412	373
Second Appeals (from Appellate Decrees).	810	856	925	1,045	1,054	1,115	895	1,046
Appeals under the Letters Patent.	34	53	39	38	38	39	37	47
Appeals from Orders ...	84	81	54	71	84	84	60	74
Civil Revision Applications ...	578	593	571	615	536	524	599	595
Civil References ...	17	16	10	7	19	16	11	10
Applications for Review ...	15	17	14	12	11	15	16	14
Miscellaneous Applications ...	1,147	1,076	984	1,179	1,183	993	1,167	1,055

26. *Results of Appeals—(Statements Nos. 7 and 8).*—Out of the 378 Appeals from Original Decrees decided, 57 were dismissed or not prosecuted. Out of the remaining 321, the decrees of the Lower Courts were confirmed in 205, modified in 31, reversed in 80 and 5 Appeals were remanded. Out of the 1,046 Appeals from Appellate Decrees decided, 366 were dismissed or not prosecuted. Of the remaining 680, the decrees of the Lower Courts were confirmed in 496, modified in 32, reversed in 140 and the remaining 12 Appeals were remanded.

(*Statement No. 8.*)—Out of the 74 Appeals from Orders decided, 31 were dismissed or not prosecuted. Of the remaining 43, the orders of the Lower Courts were affirmed in 34, modified in 3 and reversed in 6.

During the year under report, 7 Appeals under the Workmen's Compensation Act, 1923, were filed and 1 was pending at the beginning of the year. Out of these 8 Appeals, 1 was dismissed or not prosecuted and 7 remained pending at the close of the year.

There was no reference under the Workmen's Compensation Act, 1923, during the year under report.

References under other Acts filed and disposed of during the year were as follows :—

Filed—

- 1 Under the Indian Divorce Act (Act IV of 1869).
- 4 Under the Bombay Pleaders Act (Bombay Act XVII of 1920).
- 2 Under the Civil Procedure Code (Act V of 1908).

7

Disposed of—

- 3 Under the Indian Divorce Act (Act IV of 1869).
- 4 Under the Bombay Pleaders Act (Bombay Act XVII of 1920).
- 3 Under the Civil Procedure Code (Act V of 1908).

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Under the powers given to the Registrar and the Deputy Registrar of the High Court, 269 Applications under the Civil Procedure Code (Act V of 1908) were disposed of by them.

27. *Appeals to the Privy Council.*—At the opening of the year, 13 applications for leave to appeal were pending orders. Twenty-three new applications were filed during the year. Of these 36 applications, 3 were summarily rejected, in 12 Rule was made absolute, in 7 Rule was discharged, 3 were allowed to be withdrawn and 11 remained pending at the close of the year. During the year, the records of 2 Appeals were sent to the Privy Council.

28. *Results of Appeals to the Privy Council.*—During the year, 1 Appeal was decided by the Privy Council. The Decree of the High Court was confirmed in this appeal. Four Appeals were pending before the Privy Council at the end of the year.

29. The following statement shows the Receipts and Expenditure of the High Court, Appellate Side, Bombay, for the year 1940 :—

Receipts.

	Rs.	a.	p.
Fees realized by means of Court Fee Stamps in the Registrar's Office	1,15,257	3	0
Stamps cancelled for enrolment as Advocates (A. S.) of this High Court	72,500	0	0
Other Miscellaneous receipts in cash	35,810	0	9
Fees realized by means of Court-fee Stamps in the Translator's Department	2,222	3	0
Total	2,25,789	6	9

Expenditure.

	Rs.	a.	p.
Salaries of the five Puisne Judges and of the Additional Judge	2,78,437	13	0
Travelling allowance to the Honourable Judges .	Nil.		
Salaries of Gazetted officers	36,847	3	0
Compensatory and House Rent allowance to the Registrar .	1,181	12	0
Salaries of the Registrar's establishment ...	1,29,866	2	0
Travelling allowance to the Inferior establishment of the Registrar's office including cost of Railway Season Tickets	886	6	0
Contingencies	9,329	3	5
Fees to Advocates in Murder Cases, etc. ...	2,603	0	0
Salaries of the Translator's Department (Appellate Side)	40,447	10	0
Total ...	4,99,599	1	5*

CIVIL COURTS SUBORDINATE TO THE HIGH COURT.

APPELLATE JURISDICTION.

30. *Appeals instituted*—(Statement No. 7).—4,886 appeals were instituted in 1940, showing an increase of 511 in the figure of the previous year. The number of appeals instituted was greater in 11 districts, less in 6 districts and equal in 1 district. There was a noticeable increase in Ahmednager (186), Sholapur (138), Satara (117), Poona (59), Broach and Panch Mahals (55), Ahmedabad (52) and East Khandesh (50). In the remaining 4 districts increases were less than 50. A decrease on the other hand was noticeable in Belgaum (94), Nasik (52) and Thana (50). The remaining 3 districts showed decreases below 50. In Kaira district, the number of appeals instituted was the same as that in 1939.

31. *Appeals disposed of*—(Statements Nos. 7 and 14).—5,099 appeals were disposed of during the year including 619 by First Class Subordinate Judges exercising Appellate powers. The figure of total disposals shows an increase of 498 as compared with that of the previous year; the figure of disposal by First Class Subordinate Judges exercising Appellate powers shows an increase of 588 in the corresponding figure of the previous year. There was an increase in the disposals in 9 districts, the greatest being in Poona (323), followed by Ratnagiri (217), Broach and Panch Mahals (169), Nasik (94), Sholapur (64) and Dharwar (54). In the remaining 3 districts,

* In addition Rs. 5,097-1-0 were paid through the High Court to Assistant Judges under training for salaries and allowances.

the increase was below 50. On the other hand there was a decrease in the disposals in 9 districts, the greatest being in West Khandesh (131), followed by Bijapur (103), Ahmednagar (95) and East Khandesh (83). The remaining 5 districts showed decreases below 50.

32. *Appeals pending*—(Statements Nos. 7 and 14).—There were 5,210 appeals pending at the close of the year, the number being less by 197 than at the end of 1939. The number of appeals pending for more than a year fell from 1,885 to 1,352.

33. *Results of Appeals*—(Statement No. 7).—In 778 cases or 15·3 per cent. of the whole, appeals were either summarily dismissed or not prosecuted, in 2,675 or 52·5 per cent. the judgments of the lower Courts were affirmed, in 600 or 11·8 per cent. they were modified, in 787 or 15·4 per cent. they were reversed and in 255 or 5 per cent. the cases were remanded for a fresh hearing. The remaining 4 appeals were disposed of by transfer.

34. The average duration of appeals in the lower Appellate Courts, which were dismissed or not prosecuted was 203 days while that of the appeals which were confirmed, modified, reversed or remanded was 469 days.

35. *Miscellaneous Appeals*—(Statement No. 8).—568 miscellaneous appeals were instituted during the year, 2 were revived and 280 were pending at the beginning of the year. Of the total 850, 601 were disposed of during the year and 249 remained pending at its close. The number of pending appeals was less by 31 than that in the previous year.

36. The average duration of miscellaneous appeals in the lower Appellate Courts, which were dismissed or not prosecuted was 77 days while that of appeals, which were confirmed, modified, reversed or remanded was 234 days.

CIVIL COURTS IN THE MOFUSSIL SUBORDINATE TO THE HIGH COURT.

ORIGINAL JURISDICTION.

37. *Constitution of Courts and Change in Jurisdiction*.—With effect from the 1st July 1940 the Court of the Subordinate Judge of Talegaon in the Poona District was transferred to Ghodnadi in the same district. 29 villages of the Bhimthadi Taluka, which had been heretofore included within the local limits of the ordinary Jurisdiction of the Court of the Subordinate Judge of Talegaon, now known as the Court of the Subordinate Judge of Ghodnadi, were excluded therefrom and included within the local limits of the ordinary jurisdiction of the Court of the Subordinate Judge of Poona. (Vide Government Notification, Home Department, No. 7639/3-III, dated the 4th June 1940).

With effect from 1st November 1940 the linked Court at Vengurla in the Ratnagiri District, established by Government

Notification, Home Department, No. 7896/3-II, dated the 22nd October 1938, as amended by Government Notification, Home Department, No. 7896/3-II, dated the 8th August 1939, was continued for a further period of 6 months. (*Vide* Government Notification, Home Department, No. 7896/3-III, dated the 7th November 1940.)

38. *Original suits instituted*—(*Statement No. 3*).—The number of suits instituted in 1940 was 126,131 showing a decrease of 3,239 in the figure of the previous year.

There was a decrease in money suits to the extent of 3.9 per cent. while in title and other suits there was an increase to the extent of 2.6 per cent., the number of money suits being 99,851 as against 103,762 in 1939 and that of title and other suits 26,280 as against 25,608 in 1939.

(*Statement No. 4*).—The total value of suits in 1940 amounted to Rs. 4,81,44,430, there being an increase of Rs. 37,12,208 over the total of 1939.

39. *Local distribution*—(*Statement No. 3*).—The number of suits instituted in 1940 showed an increase in 5 districts and a decrease in the remaining 13 districts. There was an appreciable increase of 1,363 in the district of East Khandesh. The increase in the remaining 4 districts was below 500. The decrease on the other hand was noticeable in 5 districts, being 838 in Dharwar, followed by 785 in Sholapur, 761 in Satara, 613 in Nasik and 508 in Belgaum. The decrease in the other 8 districts was below 500.

(*Statement No. 3*).—The largest number of suits instituted during the year was in Poona (15,601). Institutions exceeded 10,000 in East Khandesh, Ahmedabad and West Khandesh and ranged from 5,000 to 10,000 in Nasik, Kaira, Satara, Thana, Sholapur, Broach and Panch Mahals, Ahmednagar and Dharwar. Ratnagiri, Belgaum, Surat, Bijapur and Kolaba showed 4,984, 4,733, 4,257, 4,140, and 2,217, while the lowest figure 2,184 came to the share of Kanara.

40. *Number of suits disposed of*—(*Statement No. 5*).—In addition to 126,131 suits instituted during the year and 66,786 suits pending from the previous year, 2,973 suits were revived or received on remand or by transfer making a total of 195,890 for disposal.

The number of suits disposed of during the year was 133,167, a decrease of 111 in the figure of the previous year.

Of the total number of suits decided during the year, viz. 133,167, Paid Sub-Divisional Tribunals (i.e. Courts of Subordinate Judges) disposed of 109,638, Small Cause Courts 12,253, District Courts 565, Village Munsiffs' Courts 10,687 while the remaining 24 suits were disposed of by Unpaid Tribunals (i.e. Inamdars and Jahagirdars).

41. *Results of suits decided*—(*Statement No. 5*).—Out of the suits disposed of during the year 17,105 or 12.8 per cent. were disposed of without trial, 25,263 or 19 per cent. were disposed of

ex parte, 14,099 or 10·6 per cent. on admission of claims, 32,877 or 24·7 per cent. by compromise, 42,080 or 31·6 per cent. after full trial, 399 or ·3 per cent. on reference to arbitration, and 1,344 or 1 per cent. by transfer. Of the 42,080 decided after full trial, 37,245 or 88·5 per cent. resulted in favour of the plaintiffs and 4,835 or 11·5 per cent. in favour of the defendants.

42. *Suits disposed of by Inamdars and Jahagirdars*—(Statement No. 5).—The Unpaid Tribunals disposed of 24 original suits; in 1939 the figure was 40.

43. *Suits disposed of by Subordinate Judges*—(Statement No. 5).—The number of original suits disposed of by Subordinate Judges was 109,638, an increase of 1,034 as compared with the figure of the previous year. The increase is in the number of cases decided under the ordinary procedure, which increased by 1,338. There was however a decrease in the suits decided under the Small Cause Court procedure. The number of suits decided under the ordinary procedure was 59,260 and under the Small Cause Court procedure 50,378.

44. *Suits disposed of by Small Cause Courts*—(Statement No. 5).—The Provincial Small Cause Courts disposed of 12,253 suits, a decrease of 398 in the figure of the previous year's disposals.

45. *Suits disposed of by District and Assistant Judges*—(Statement No. 5).—The District Courts disposed of 565 original suits, a decrease of 17 in the figure of the previous year.

46. *Suits disposed of by Village Munsiffs*—(Statement No. 5).—The Village Munsiffs disposed of 10,687 suits showing a decrease of 714 suits as compared with the figure of the previous year.

47. *Pending suits*—(Statement No. 5).—The number of suits pending at the close of the year was 62,723 as against 66,765 in the previous year.

(Statements Nos. 5 and 14).—Of the pending cases, 7,747 had been pending for more than a year, this shows a decrease of 1,841 in the figure of the previous year. Of the suits pending over a year, 11 were in the Courts of Inamdars and Jahagirdars, 53 in the Courts of the Village Munsiffs, 7,527 in the Courts of the Subordinate Judges, 56 in the Small Cause Courts and 100 in the District Courts, the figures showing as compared with those of the previous year an increase of 5, 40 and 34 respectively in the Courts of the Inamdars and Jahagirdars, the Small Cause Courts and the District Courts and a decrease of 109 and 1,811 respectively in the Courts of the Village Munsiffs and Subordinate Judges.

The number of suits pending over a year was largest in Ahmedabad (1,146), followed by Poona (960), Satara (927), Dharwar (505), Belgaum (478), Sholapur (427), Ahmednagar (407), Ratnagiri (399), Thana (397), Nasik (353), Kaira (340), Surat (306), Bijapur (251) and East Khandesh (223). The figures for the remaining districts are less than 200.

48. *Duration of suits*—(Statement No. 5).—The average duration in days of suits decided in the Courts of the Inamdars and Jahagirdars, Village Munsiffs, Subordinate Judges, in the Provincial Small Cause Courts and the District Courts is as shown in the tabular statement given below :—

Courts.	Average duration of suits decided						
	Without trial.	<i>Ex parte.</i>	On admission of claims.	By Compromise.	After full trial.	On reference to arbitration.	By transfer.
Courts of Inamdars and Jahagirdars .	336	117	43	300	463	...	...
Courts of Village Munsiffs ...	208	204	144	145	155	...	121
Courts of Subordinate Judges ...	249	176	97	260	367	423	191
Small Cause Courts ...	165	101	120	82	250	49	264
District Courts ...	154	181	95	146	283	20	76

49. *Execution Proceedings*—(Statement No. 13).—There were 118,273 applications for execution pending from the previous year and 171,917 new applications were filed during the year. Out of the total number of applications before the Courts, 164,734 were disposed of during the year and 125,456 remained pending at its close.

The disposals of the applications were as under :—

- 1,823 cases disposed of by transfer ;
- 23,375 cases disposed of wherein realization was complete ;
- 44,375 cases disposed of wherein realization was partial ; and
- 95,161 cases disposed of as wholly infructuous.

164,734

The total amount realized in Courts other than the Small Cause Courts was Rs. 80,85,925-2-4.

Debtors were imprisoned in 117 cases, moveable property sold in 622 and immoveable property in 5,000.

50. *Miscellaneous Cases*—(Statement No. 6).—The number of institutions of miscellaneous cases rose from 12,661 to 12,733 while that of disposals fell from 12,932 to 12,928. The number of miscellaneous cases pending at the close of the year fell from 7,488 to 7,366. Of the 12,928 Miscellaneous cases disposed of, 2,125 were disposed of without trial, 1,499 were disposed of *ex parte*, 1,139 on

admission of claims, 349 by compromise, 7,766 after full trial, 27 on reference to arbitration and 23 by transfer. Of the 7,766 cases decided after full trial, 5,549 or 71.5 per cent. resulted in favour of the Plaintiffs.

51. *Duration of Miscellaneous Cases*—(Statement No. 6).—The average duration in days of Miscellaneous cases decided in the Courts of Inamdars and Jahagirdars, Village Munsiffs, Subordinate Judges, in the Provincial Small Cause Courts and in the District Courts is as shown in the tabular statement given below :—

Courts.	Average duration of cases decided						
	Without trial.	<i>Ex parte.</i>	On admission of claims.	By compromise.	After full trial.	On reference to arbitration.	By transfer.
Courts of Inamdars and Jahagirdars...	153	...	...
Courts of Village Munsiffs	...	47	54	29	1	119	...
Courts of Subordinate Judges	...	265	129	168	199	501	1,278
Small Cause Courts	...	39	49	38	32	105	...
District Courts	...	140	164	95	270	240	40

III. BOMBAY SMALL CAUSE COURT.

52. (Statements Nos. 3 and 5).—The figures of suits instituted and disposed of during the year and of suits pending at the close of the year 1940 in the Presidency Small Cause Court were 22,541, 22,575, and 5,308 respectively. The figures of institutions, disposals and of suits pending at the close of the year show a decrease of 3,100, 3,601 and 34 respectively when compared with the figures of the previous year.

(Statement No. 4).—There was an increase in the institutions of suits exceeding in value Rs. 500 but not exceeding Rs. 1,000 and of suits exceeding in value Rs. 1,000 but not exceeding Rs. 5,000 while there was a decrease in all other kinds of suits. The total value of litigation showed a decrease for the year under report. The figure was Rs. 52,20,153-0-1 as against Rs. 54,70,001-7-11 in the preceding year.

53. *Mode of disposal*—(Statement No. 5).—Of the 22,575 suits disposed of, 262 were decided without trial, 6,865 were decided *ex parte*, 8,116 on admission of claims, 5,648 by compromise, 1,615 after full trial, 61 on reference to arbitration and 8 by transfer.

54. The average duration of suits disposed of without trial was 36 days, of those decided *ex parte* 39, of those decided on admission of claims 48, of those decided by compromise 41, of those decided after full trial 70, of those decided by reference to arbitration 59 and of those decided by transfer 40.

55. *Execution of decrees*—(Statement No. 13).—Of the 16,138 applications for the execution of decrees that were before the Courts during the year (including 2,827 pending from the previous year), 13,699 were disposed of and 2,439 remained pending at the close of the year. Of the last figure, 1,097 were more than three months' old. Of the applications disposed of, 5,504 resulted in whole or partial satisfaction of the decrees granted, 5,993 were returned as wholly infructuous and 2,202 were transferred to other Courts.

The total amount realized was Rs. 7,35,246-3-0 as compared with Rs. 9,40,401-1-5 in the previous year.

56. *Coercive Process*—(Statement No. 13).—In order to enforce the execution of decrees imprisonment was ordered in 19 cases and sale of moveables in 697. The figures show an increase of 6 and 2 respectively when compared with the figures of the previous year.

57. *Applications to the Full Court*—(Statement No. 14).—There were 347 applications for disposal before the Full Court during the year, of which 322 were disposed of and 25 remained pending at the close of the year.

GENERAL.

58. As compared with the figures for 1939, the number of suits instituted in the Subordinate Judges' Courts decreased by 1,152, whereas the number of suits disposed of showed an increase of 1,034; the number of regular suits disposed of was more by 1,338 and that under Small Cause Court Jurisdiction was less by 304. With the number of revived suits and those pending at the end of the last year, the total number of suits pending shows a decrease from 57,232 to 53,818 and the number of suits pending over a year shows a decrease from 9,338 to 7,527. The number of appeals disposed of by District Courts increased by 498. The First Class Subordinate Judges exercising Appellate Powers disposed of 619 appeals as against 31 in 1939. The total number of appeals pending in the District Courts decreased from 5,407 to 5,210.

The figures of suits instituted on the Original Side showed an increase of 435 while those of suits disposed of showed a decrease of 272 as compared with the figures of the previous year. The number of suits pending increased from 2,713 to 2,984.

On the Appellate Side of the High Court, the total number of institutions of appeals and that of disposals showed an increase of 194 and 139 respectively as compared with the figures of the previous year. The total arrears of appeals fell from 2,012 to 2,011.

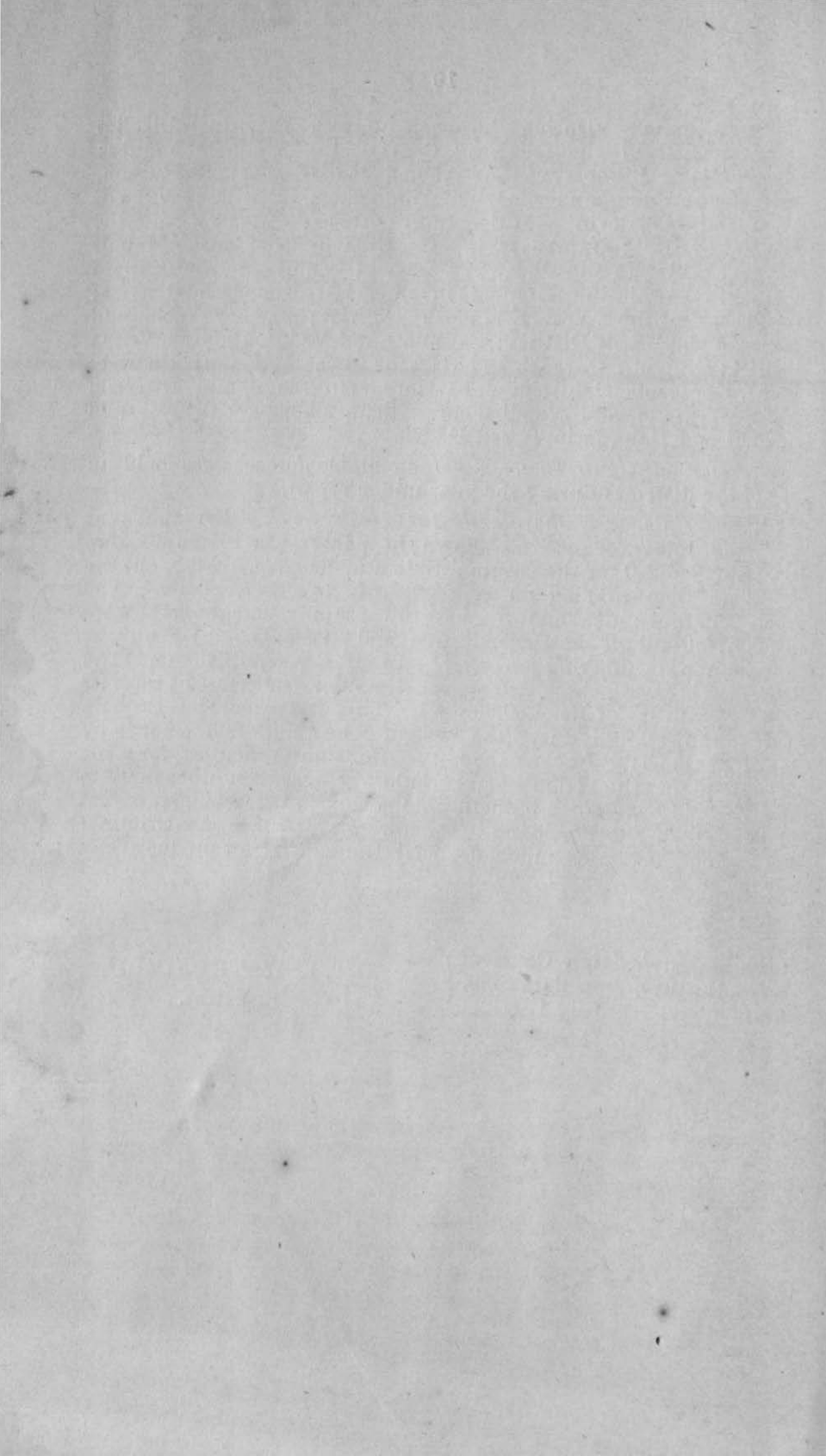
59. *Inspection.*—During the year under report, the District Judges inspected the following Courts of Subordinate Judges; Dholka and Gogho in the Ahmedabad District; Kopargaon, Shevgaon and Sangamner in the Ahmednagar District; Chikodi, Athni and Gokak in the Belgaum District; Bagalkot in the Bijapur District; Jambusar in the Broach and Panch Mahals District; Gadag in the Dharwar District; Kumta in the Kanara District; Yawal and Erandol in the East Khandesh District; Nandurbar in the West Khandesh District; Satana, Yeola and Sinnar in the Nasik District; Baramati and Vadgaon in the Poona District; Chiplun, Devrukh and Rajapur in the Ratnagiri District; Karad, Koregaon, Dahiwadi and Islampur in the Satara District; Sholapur, Barsi and Pandharpur in the Sholapur District and Andheri and Dahanu in Thana District.

60. *Judicial Conference.*—No Judicial Conference was held in any of the districts during the year under report.

61. *Receipts and Charges of the High Court.*—For the year 1940 the total receipts as shown in paragraphs 16 and 29 were Rs. 16,31,928-2-0 on the Original Side and Rs. 2,25,789-6-9 on the Appellate Side making an aggregate of Rs. 18,57,717-8-9. The total charges as shown in the same paragraphs were Rs. 8,97,750-4-0 on the Original Side and Rs. 4,99,599-1-5 on the Appellate Side making an aggregate of Rs. 13,97,349-5-5. The difference between these two aggregates shows an excess of receipts over expenditure of Rs. 4,60,368-3-4. This excess includes Probate and Administration duty (the cost of collecting which is borne by the High Court). In the expenditure no sum is charged for rent or upkeep of the High Court Buildings or certain other matters which would have to be brought into account in ascertaining a net profit. On the other hand no allowance is made for Criminal work which occupies much Judicial time and is not productive of any revenue.

His Majesty's High Court of
Judicature, Appellate Side,
Bombay, 9th July 1941. }

T. E. WATERFIELD,
Registrar.



REPORT ON THE ADMINISTRATION OF CRIMINAL JUSTICE IN THE PROVINCE OF BOMBAY DURING THE YEAR 1940.

1. *Judicial Staff*—(Statement No. I).—The Judicial Staff employed in the Province on 31st December 1940 and engaged partly or wholly in Criminal cases consisted of 10 permanent High Court Judges, 1 temporary Additional High Court Judge, 17 Sessions Judges, 9 Additional Sessions Judges, 1 Assistant Sessions Judge, 19 District Magistrates, 10 Presidency Magistrates, 415 other First Class Magistrates, 188 Second Class Magistrates, 187 Third Class Magistrates, 115 Sanitary Committees and Sanitary Boards under Bombay Act I of 1889 and 604 Village Panchayats under Bombay Act VI of 1933.

In addition to the above, there were 19,029 Police Patils in the Province exercising powers under section 14 of the Bombay Village Police Act, VIII of 1867, of whom 402 were invested with powers under section 15 of that Act.

There were 6 Benches of Honorary Magistrates in the City of Bombay constituted from 169 Honorary Magistrates.

2. *Offences Reported*—(Statement No. II).—There were 331,123 Criminal offences reported during the year, an increase of 300 over the figure of 1939. There was an increase in the number of offences reported in the City of Bombay and the districts of West Khandesh, Thana, Satara, Belgaum, Broach and Panch Mahals, Kaira, Sholapur, Kanara, Ahmednagar and Ratnagiri while there was a decrease in the remaining 9 districts. The increase was most noticeable in the City of Bombay, namely, 11,276 followed by 2,254 in West Khandesh, 654 in Thana and 627 in Satara; the remaining 7 districts showed increases of less than 500. On the other hand, there was a marked decrease in Ahmedabad of 6,168, followed by 5,318 in Poona, 1,647 in Kolaba, 963 in Dharwar, 943 in Surat and 561 in the Bombay Suburban District; in the remaining 3 districts the decreases were less than 500. Of the total number of offences reported, 57,254 were under the Indian Penal Code and 273,869 under Special and Local Laws.

3. *Complaints Dismissed (section 203, Criminal Procedure Code) and complainants fined (section 250, Criminal Procedure Code)*—(Statement No. II).—The number of complaints dismissed under section 203 was 3,756 and the number of complainants fined under section 250 was 130.

4. *Cases found to be true*.—Of the total number of cases under inquiry, 316,853 were found to be true. The number of cases brought to trial excluding those withdrawn and including those pending from the previous year was 347,046. The number of cases found to be true shows a decrease of 2,331 and the number of cases brought to trial shows an increase of 7,407 in the figures of 1939.

5. *Murders reported as true.*—Out of 1,025 cases affecting human life brought to trial during the year, 293 were murders of which 152 ended in conviction. The corresponding figures for 1939 were 1,041, 315 and 181. The 293 murders may be classified as under :—

Murders from motives connected with women ...	76
Murders of children for the sake of their ornaments ...	2
Other murders for the sake of gain ...	50
Murders arising out of other causes ...	165
	<hr/>
Total ...	293

ORIGINAL JURISDICTION.

I. PRESIDENCY MAGISTRATES.

6. *Cases in the Presidency Magistrates' Courts*—(Statement No. 11).—The number of cases brought to trial during the year in the Courts of the Presidency Magistrates excluding pending cases was 26,185 and in those of the Honorary Presidency Magistrates was 153,643 making a total of 179,828. This number is greater by 16,527 than that of 1939, when the corresponding figures were 23,429 and 139,872, making a total of 163,301. The number of cases under Special and Local Laws was 175,940 or 14,686 more than that of 1939 and the number of cases under the Indian Penal Code was 13,024 or 1,455 more than that of 1939. There was a very marked increase under the former head in offences under the Bombay Prevention of Adulteration Act which rose from 681 to 2,334. The number of offences under the Bombay Abkari Act rose from 644 to 1,798. The offences under the Defence of India Act were 1,358. The decrease was most noticeable in offences under the Indian Electricity Act which fell from 9 to 4. The number of offences under the Bombay Public Conveyances Act fell from 6,377 to 6,026. As regards offences under the Indian Penal Code, there was a considerable increase in offences of Theft which rose from 2,028 to 2,534. The number of offences of criminal intimidation, insult and annoyance rose from 1,471 to 1,822. The decrease was most noticeable in offences of contempt of the Lawful Authority of Public Servants which fell from 603 to 44. The number of offences by or relating to Public Servants fell from 99 to 14.

(Statements Nos. 2 and 9).—During the year 179,828 regular and 401 Miscellaneous cases were disposed of and 9,136 regular cases remained pending at the close of the year.

7. *Results of trials*—(Statement No. 9).—The aggregate number of persons under trial before the Presidency Magistrates was 194,398. Of the persons tried, 23,244 were acquitted or discharged, 161,363 were convicted, 199 were committed to the High Court

40 died, 183 were transferred to other Provinces, 7 were handed over to the Military Authorities and 9,362 remained under trial at the close of the year. Of the persons tried for offences under the Indian Penal Code, 4,078 were convicted and 10,754 were acquitted or discharged.

The results of trials before each of the three classes of Magistrates during the year are shown below :—

Class of Magistrates.	Number of persons.		Percentage of convictions.
	Acquitted or discharged.	Convicted.	
Stipendiary Magistrates	13,878	16,187	53.8
Benches of Honorary Magistrates	6,419	106,503	94.3
Honorary Magistrates sitting singly	2,947	38,673	92.9

8. *Punishments*—(Statement No. 12).—Of the persons convicted, 3,265 were punished with imprisonment, 149,372 with fine, 7,052 convicted persons were released after admonition and 1,674 were released on probation of good conduct under section 562, Criminal Procedure Code. 199 persons were sent to the Leper Asylum at Matunga. The sentences of imprisonment passed were for the following terms :—

Not exceeding	{	15 days	...	946
		6 months	...	2,122
		2 years	...	197

The fines imposed aggregated Rs. 4,48,205-2-6. The total amount realized was Rs. 3,06,299-7-3 of which Rs. 3,200-14-9 were paid as compensation to complainants.

II. MAGISTRATES, VILLAGE OFFICERS, ETC.

9. *Results of trials*—(Statement No. 9).—The aggregate number of persons under trial before these tribunals was 233,079. Of these, the cases of 1,035 were committed to the Sessions or referred to higher authorities and of the remaining 232,044, the cases of 197,039 were finally disposed of by the various tribunals. Of the total of 197,039, 121,377 or 61.6 per cent. were convicted and 73,029 or 37.1 per cent. were acquitted or discharged, 280 persons died, 2,349 escaped during trial and 4 were transferred.

The total number of persons awaiting trial before these tribunals at the close of the year was 35,005 as compared with 32,163 in 1939.

The general results of trials before tribunals of each class are as shown below :—

Class of Tribunals.	Number of persons.		Percentage of convictions.
	Acquitted or discharged.	Convicted.	
Chief Magistrates of Districts ...	11	98	89.9
District and Divisional Magistrates ...	14	48	77.4
Honorary Magistrates ...	12,353	25,308	67.2
Special Magistrates ...	633	1,484	70.1
Benches of Magistrates ...	11	84	88.4
Subordinate Stipendiary Magistrates ...	58,318	93,709	61.6
Village Officers ...	1,639	631	27.8
Sanitary Committees and Sanitary Boards ...	.....	.....	.....
Village Panchayats ...	50	15	23.1

10. *Punishments*—(Statement No. 12.)—The sentences passed on persons convicted were as follows :—

Imprisonment	...	10,779
Fine	...	107,062
Forfeiture of property	...	2
Whipping	...	16
and		
Ordered to give security	...	5,316

Of the sentences of imprisonment imposed, 2,470 were for terms not exceeding 15 days, 6,755 for terms not exceeding 6 months, 1,389 for terms not exceeding 2 years and 165 for terms above 2 years.

Sentences of whipping were passed on 16 persons ; in 1939 the figure was 111.

The amounts of fines imposed and realized during the year were Rs. 9,59,469-0-8 and Rs. 7,26,292-4-5 respectively. A total sum of Rs. 16,169 was paid as compensation to complainants.

In addition to the above, 130 complainants were ordered to pay compensation to accused persons under section 250 of the Criminal Procedure Code as against 131 last year.

III. COURTS OF SESSION.

11. *Results of trials*—(Statement No. 9).—There were 2,730 persons or 582 more than in 1939 under trial. The cases of 2,401 were decided while those of 329 remained pending at the close of the year. Of the 2,401 persons tried, 1,168 or 48·6 per cent. were convicted, 1,186 or 49·4 per cent. were acquitted or discharged, the cases of 36 were referred to the High Court under sections 307 and 374 of the Code of Criminal Procedure, 7 persons died, 2 escaped during trial and the cases of 2 were transferred to another Province.

12. *Punishments*—(Statement No. 12.)—The following sentences and orders were passed by the Courts of Session :—

Death	...	...	...	...	25
Transportation or penal servitude	...	...	...	...	110
Imprisonment	...	...	...	...	979
Fine	...	...	...	...	103
Whipping	...	...	...	...	1
and					
Ordered to give security	...	...	...	...	24

Sentences of imprisonment passed were for the following terms :—

Not exceeding	{	15 days	...	...	...	51
		6 months	...	...	...	152
		2 years	...	...	...	296
Exceeding 2 years	...	...	...	...	480	

Fines to the amount of Rs. 20,605 were imposed by Courts of Session as compared with Rs. 20,577 in the preceding year. The total realization amounted to Rs. 16,325-6-3 as compared with Rs. 5,870-9-0 in 1939 and the total amount of fine paid as compensation was Rs. 555 as against Rs. 340 in 1939.

APPELLATE JURISDICTION.

Appellate Courts Subordinate to the High Court.

I. APPEALS.

13. (Statement No. 2).—The number of appeals decided during the year was 3,024 as against 2,794 in the preceding year, an increase of 230.

14. *Magistrates' Courts*—(Statement No. 10).—The number of persons whose appeals were decided by Courts of Magistrates was 2,374. Of these, the appeals of 184 were summarily dismissed and sentences on 1,155 were confirmed after admission making

a total of 1,339 wholly unsuccessful appellants or 56·4 per cent. Of the remaining, 326 or 13·7 per cent. obtained a modification of sentences passed on them and 674 or 28·4 an annulment. The cases of 35 appellants were otherwise disposed of. As compared with 1939, the results were less favourable to the appellants.

15. *Sessions Courts*—(Statement No. 10).—During the year, the number of persons whose appeals were decided by Courts of Session was 2,945. The appeals of 811 (27·5 per cent.) were summarily dismissed and those of 2,134 (72·5 per cent.) were admitted. Of the above 2,134 appellants, 827 (38·8 per cent.) were wholly unsuccessful; 537 (25·2 per cent.) were partially successful; 737 (34·5 per cent.) were wholly successful; the cases of 32 appellants (1·5 per cent.) were otherwise disposed of; and 1 person (0·05 per cent.) died pending the decision of his appeal.

If admitted appeals only are considered, these results were favourable to the appellants than in the previous year, the percentage of successful appellants during the year being 59·7 as against 52·6 in 1939.

II. SUPERINTENDENCE, REFERENCE AND REVISION.

16. *Magistrates' Courts*—(Statement No. 10).—The cases of 473 persons who applied for revision or against whom applications were made by complainants came before the District Magistrates for revision. The number was more by 73 than in 1939. The applications in the case of 303 were rejected and those in the case of 131 were otherwise disposed of and one person died before disposal of the case.

17. *Sessions Courts*—(Statement No. 10).—Including the cases of accused persons who themselves applied for revision of the orders passed on them in the Courts of Magistrates and of those against whom such applications were made by complainants, the cases of 1,821 persons were decided on revision by Courts of Session during the year. The number was more by 264 than in 1939. Applications in the case of 1,444 were rejected and those in the case of 377 were otherwise disposed of.

HIGH COURT.

I. ORIGINAL JURISDICTION—(HIGH COURT SESSIONS).

18. *Commitments to the High Court*—(Statement No. 9).—One hundred twenty-three cases in all were brought to trial at the High Court Sessions during the year. Of these, 105 cases were decided during the year and 18 remained pending at the end of the year. These 105 cases occupied in all 159 days. This may be compared with 97 cases occupying 134 days in 1939.

Altogether 180 persons were tried, of whom 118 were convicted, 32 were acquitted, 1 escaped and 29 remained under trial at the end of the year.

19. *Punishments*—(*Statement No. 12*).—The following sentences were passed :—

Death	...	...	...	...	5
Transportation or penal servitude	...	...	...	...	8
Imprisonment	...	...	...	...	105
Fine	...	...	...	...	2

Sentences of imprisonment passed were for the following terms :—

Not exceeding	{ 6 months	...	...	...	3
	{ 2 years	...	...	...	22
Exceeding 2 years	...	...	...	...	80
					105

The fines imposed during the year amounted to Rs. 700 and no amount was realized.

II APPELLATE JURISDICTION.

20. (*Statement No. 10*).—Fifty-nine appeals were pending before the High Court at the beginning of the year from sentences or orders of Criminal Courts. During the year, 566 appeals were preferred and 585 decided, leaving 40 pending at its close. The numbers of appeals preferred and decided during the year were more by 75 and 109 respectively than those of the preceding year and the number of appeals pending at the close of the year was less by 19 than that of the preceding year. Of the appeals preferred against sentences, 432 were from Courts of Session, 102 from Courts of Presidency Magistrates and the remaining 32 were preferred by the Local Government against orders of acquittal.

21. *Results of appeals*.—Four hundred and forty-three appeals against sentences passed by Courts of Session were decided. The sentences were upheld in 367 cases, reversed in 50, modified in 23, 1 was returned for presentation to the proper Court and 1 abated. The remaining one appeal related to property matter.

One hundred and six appeals against sentences passed by Presidency Magistrates were decided. The sentences were upheld in 89 cases, reversed in 9 and modified in 5. In 2 cases, there was a remand for retrial. The remaining one appeal was allowed to be withdrawn.

Thirty-six appeals by the Local Government against orders of acquittal involving 83 accused were disposed of by the High Court during the year.

In 9 appeals involving 21 accused, the High Court set aside the orders of acquittal in respect of 19 and convicted them and in respect of 2 accused, the appeal was dismissed. In 1 appeal involving 3 accused, the High Court set aside the order of acquittal and referred the matter back to the lower Court to be dealt with according to law. In 1 appeal involving 21 accused the High Court allowed the appeal to be withdrawn in respect of 2 accused and upheld the order of acquittal as regards the rest. Six appeals involving 6 accused were dismissed summarily and in 19 appeals involving 32 accused the orders of acquittal were upheld and the appeals dismissed.

The results of appeals as affecting individual appellants were as follows:—

The appeals of 355 persons were summarily dismissed under section 421 of the Code of Criminal Procedure. In admitted appeals the sentences of 150 appellants were confirmed, those of 59 altered, those of 79 reversed and 1 appeal involving 2 accused was remanded for retrial. In 3 appeals involving 3 accused, one appellant was asked to approach the proper Court, the other was allowed to withdraw his appeal and the third having died his appeal abated.

III. SUPERINTENDENCE, REFERENCE AND REVISION.

22. *References under section 307, Code of Criminal Procedure.*—Two references were pending in the High Court at the beginning of the year and 14 were submitted to it during the year. Of these, 14 were decided and 2 remained pending at the close of the year. Out of the 14 decided cases involving 27 accused, the High Court convicted 13 persons, acquitted 13 and ordered 1 accused to be detained in the Mental Hospital at Yeravda. The verdict of the jury was accepted in 8 cases and was set aside in 4. In the remaining 2 cases the verdict of the jury was partly accepted and partly set aside.

23. *References under section 374, Code of Criminal Procedure.*—Twenty-eight references under this section were submitted to the High Court during the year for the confirmation of death sentences and 5 were pending at the opening. 31 cases involving 38 accused were decided during the year. The sentence of death was confirmed in the case of 27 persons and commuted to that of transportation for life in the case of 4. The remaining 7 persons were acquitted. During the year under report, 40 persons were executed in the Province of Bombay.

24. *Revision.*—During the year 1940, one hundred and seventy-eight cases under section 438 and 1 case under section 341 of the Code of Criminal Procedure were reported for the orders of the High Court by Sessions Judges and District Magistrates and 18 were pending at the opening of the year. Of these, 183 were decided during the year and 14 remained pending at its close.

The number reported was more by 40 than in 1939. In 37 cases the orders sent up for revision were not disturbed, 25 sentences were enhanced, 39 sentences were reduced or altered, 60 sentences were reversed, 4 proceedings were quashed but no new trials ordered, in 13 cases new trials or further inquiries were ordered and the remaining 5 cases were otherwise disposed of.

Orders were passed under section 435 of the Code of Criminal Procedure in 353 cases, an increase of 19 over the figures of the previous year. Of these, 328 came before the High Court and 25 were taken up by the High Court on review of Criminal Returns or otherwise of its own motion. Of the 328 applications for the issue of rule, 243 were rejected and 1 was allowed to be withdrawn. Of the 84 rules issued, 31 were finally discharged, 33 were made absolute in their entirety and in 8 the orders complained of were modified. In the remaining 12 the sentences were enhanced.

In 6 out of the 25 cases taken up by the High Court *suo motu*, the orders passed by the lower Courts were not disturbed, in 11 the sentences were enhanced, in 2 the sentences were reduced, in 4 the sentences were set aside and 1 case was committed to Sessions. In the remaining case the order was passed for the first time.

25. *Applications for transfer.*—Eighty-seven applications under section 526 of the Code of Criminal Procedure, for transfer of cases from one Court or district to another were received during the year and 5 were pending at the beginning of the year. Out of these, 86 were decided during the year and 6 remained pending at its close. Fifty-eight were summarily rejected, 1 was allowed to be withdrawn and in 4 transfers were granted without the issue of rules. In the remaining 23 cases in which rules were issued, transfers were granted in 13 and refused in 10.

26. *Miscellaneous Applications.*—Seven applications for compensation, 7 for stay of proceedings, 9 for disposal of property, 9 for maintenance, 9 under section 476 of the Code of Criminal Procedure, 18 for bail, 1 for Habeas Corpus, 2 under the Contempt of Courts Act and 8 for miscellaneous purposes were disposed of by the High Court during the year.

27. *Child Offenders—(Form A).*—One thousand and twenty-nine cases regarding offences committed by children were disposed of during the year 1940. 1,154 boys and 54 girls (out of whom 6 boys absconded, 1 boy was sent to the Magistrate at Bandra and 1 boy was sent to Juvenile Court at Sholapur) were dealt with under the provisions of the Bombay Children Act, XIII of 1924. Various types of offences under the Indian Penal Code and Special and Local Laws were committed by children. 87 children were acquitted, 391 discharged after admonition, 188 committed to the care of fit persons and also placed under supervision of Probation Officers, 167 committed to the care of fit persons but without supervision, 214 detained in certified schools, 18 caned, 33 parents or guardians of children were fined, 76 children were fined and 26

were dealt with in other ways. Out of the total number of cases disposed of, 699 were under the Indian Penal Code and 330 under Special and Local Laws.

28. *Statement of cases in which orders were passed under sections 7, 8 and 15 of the Bombay Children Act, XIII of 1924—(Form B).*—Nine hundred and twenty boys and 161 girls (71 children having been dealt with in more than one manner), were dealt with under the Provisions of sections 7, 8 and 15 of the Bombay Children Act, XIII of 1924, 373 children were sent to Certified schools under section 7(4), 143 were committed to the care of relatives or other fit persons named by the Courts under section 7(5) with surety bonds, 464 were committed to the care of relatives or other fit persons named by the Courts under section 7(5) but without surety bonds, 148 were kept under the supervision of Probation Officers under section 7(6) and 24 were sent to Certified Schools under section 8.

29. The following table shows the number of original and appellate criminal cases disposed of during the year in all Courts in the Province of Bombay as compared with the last year :—

Year.	Total number of cases decided.					
	Original.		Appellate.			
	Regular.	Miscellaneous.	Regular.	Miscellaneous.		
For the Province of Bombay including the High Court—						
1939	313,693	1,099	3,270	1,325
1940	317,485	1,151	3,609	1,564
For the High Court only—						
1939	*97	476	470
1940	*105	585	596

30. During the year, 17 persons were tried for offences against the state. Of these, 4 were convicted, 10 acquitted or discharged, 1 transferred and 2 remained under trial at the end of the year.

His Majesty's High Court of
Judicature, Appellate Side :
Bombay, 9th July 1941. }

T. E. WATERFIELD,
Registrar.

*These figures exclude confirmation cases and Jury References disposed of by the High Court which were 29 and 13 for the year 1939 and 31 and 14 for the year 1940, respectively.

JUDICIAL STATEMENT

Statement showing the number of Judicial Divisions and the
in the Province of Bombay on

Province	Judges of Chief Court of Province	Civil			
		Number of Districts	District Judges	Other Judges	
				Stipendiary	Honorary
1	2	3	4	5	6
Territory subject to the High Court of Bombay.	11*(a)	17	30†(b)	134‡(c)	40§(e)

* Includes 11 High Court Judges (10 permanent and 1 temporary).

† Includes 17 District Judges, 1 Joint Judge, 1 Chief Judge, Small Cause Court, Bombay, and 11 Assistant Judges including 2 under training.

‡ Includes 7 Judges of Small Cause Courts, 24 First Class Subordinate Judges, 101 Second Class Subordinate Judges and 2 Registrars of the Provincial Small Cause Courts.

§ Includes 3 Inamdars and Jagirdars and 46 Village Munsiffs.

Statement showing the number of Judicial Officers exercising
in the Province

Designation	Civil		Remarks
	Europeans	Indians	
Chief Justice and High Court Judges ...	4	7	
District Judges ...	1	16	
Joint Judges ...	.....	1	
Assistant Judges (including under training).	.....	11	
Small Cause Court Judges ...	.....	8	
Subordinate Judges, First Class ...	.....	24	
Subordinate Judges, Second Class ...	.....	101	
Inamdars and Jagirdars ...	.....	3	
Village Munsiffs ...	.....	46	

His Majesty's High Court of Judicature,
Appellate Side :
Bombay, 10th June 1941.

No. 1 (CIVIL AND CRIMINAL).

number of Officers exercising Appellate and Original Jurisdiction
the 31st December 1940

Criminal							Remarks
Number of Sessions Divisions	Number of Districts	Sessions Judges	Other Judges	District Magistrates	Other Magistrates		
					Stipendiary	Honorary	
7	8	9	10	11	12	13	14
18	20	26¶(a)	1¶	36**(d)	481(d)	318††(d)	(a) Do both Civil and Criminal work. (b) Out of these 27 do both Civil and Criminal work. (c) Do Civil work only; out of these 9 do Criminal work also. (d) Do Criminal work only.

¶ Includes 17 Sessions Judges and 9 Additional Sessions Judges.

¶ These are Assistant Sessions Judges.

** Includes 19 District Magistrates, 16 Additional District Magistrates and 1 Chief Presidency Magistrate.

†† Includes 6 Benches of Honorary Magistrates as also such of the Bench and Special Magistrates as are authorised to sit singly. Besides these, there were 19,029 Police Patils, 115 Sanitary Committees and Sanitary Boards and 604 Village Panchayats.

Appellate and Original Jurisdiction, both Europeans and Indians,
of Bombay

Designation	Criminal		Remarks
	Europeans	Indians	
Chief Justice and High Court Judges...	4	7	
Sessions Judges ...	1	16	
Additional Sessions Judges ...	.....	9	
Assistant Sessions Judges ...	.....	1	
District Magistrates *	11	25	* These include Additional District Magistrates and the Chief Presidency Magistrate, Bombay.
Magistrates, First Class ...	46	378	
" Second Class ...	3	185	
" Third Class ...	.....	187	
Police Patils ...	.....	19,029	

K. A. ATHALYE,
Assistant Registrar.

JUDICIAL STATEMENT

Statement showing the number of cases decided in and receipts and

Name of Province	Number of			
	Civil			
	Original		Appellate	
	Regular	Miscellaneous	Regular	Miscellaneous
1	2	3	4	5
Territory subject to the High Court of Bombay.	158,375	207,888*	6,589	703

*His Majesty's High Court of Judicature,
Appellate Side :
Bombay, 10th June 1941.*

}

No. 2 (CIVIL AND CRIMINAL)

charges of the Courts in the Province of Bombay in the year 1940

cases decided				Remarks
Criminal				
Original		Appellate		
Regular 6	Miscellaneous 7	Regular 8	Miscellaneous 9	
317,485	1,151	3,609	1,564†	* Includes all applications for execution of decrees, Insolvency applications and other miscellaneous cases. † These are all cases of Revision under the Code of Criminal Procedure.

K. A. ATHALYE,
Assistant Registrar.

JUDICIAL STATEMENT

Statement showing the number and description of Civil Suits
the year

Class of Tribunals	Suits for money or moveable property	Suits under the Rent Law					Total
		Arrears of rent with or without ejectment	Enhancement or abatement of rent	For ejectment or recovery of possession alone	All other suits under the Rent Law		
1	2	3	4	5	6	7	
COURTS IN THE INTERIOR							
<i>Civil Courts</i>							
Unpaid Tribunals	21	.....	...	...	...	...
Village Courts	9,504	.....	...	...	...	...
Paid Sub-Divisional Tribunals	77,863	.....	...	...	...	...
Small Cause Courts	12,287	.....	...	...	...	...
District Courts other than Chief Courts of Districts. } ...	176	.....	...	...	...	...
Chief Courts of Districts ... }							
Total	90,851	.....	...	...	...	...
COURTS AT THE HEADQUARTERS OF THE PROVINCE OR SEAT OF GOVERNMENT							
Presidency Small Cause Courts	22,541	.....	...	...	...	...
Superior Courts	(a)	.....	...	...	...	...
Total	22,541	.....	...	...	...	...

(a) Statistics in these columns have not been shown as per order of

His Majesty's High Court of Judicature.
Appellate Side :
Bombay, 10th June 1941.

No. 3 (CIVIL)

instituted in the Civil Courts in the Province of Bombay in 1940

Title and other Suits					Grand Total	Remarks
Suits for immovable property	Suits for specific relief	Mortgage suits	Other suits not falling under any of the preceding heads	Total		
8	9	10	11	12	13	14
6	1	.....	3	10	31	
.....	.....	.....	.....	.....	9,504	
10,619	1,755	6,864	6,507	25,745	103,608	
187	.....	.....	133	320	12,607	
12	.....	.....	193	205	381	
10,824	1,756	6,864	6,836	26,280	126,131	
.....	.....	.....	.....	.....	22,541	
(a)	(a)	(a)	(a)	(a)	2,695	
.....	.....	.....	.....	.....	25,236	

the Hon'ble the Chief Justice, dated 27th February 1922.

K. A. ATHALYE,
Assistant Registrar.

JUDICIAL STATEMENT

Statement showing Number and Value of Civil Suits instituted

Class of Tribunals	Number of			
	Value not exceeding Rs. 10	Value Rs. 10 to Rs. 50	Value Rs. 50 to Rs. 100	Value Rs. 100 to Rs. 500
1	2	3	4	5
COURTS IN THE INTERIOR				
<i>Civil Courts</i>				
Unpaid Tribunals	1	11	4	12
Village Courts	3,531	5,973	.....	.....
Paid Sub-Divisional Tribunals	5,634	28,686	20,792	33,177
Small Cause Courts	373	4,301	2,493	4,166
District Courts other than Chief Courts of Districts. }	4	6	12	38
Chief Courts of Districts				
Total	9,543	39,577	29,301	37,393
COURTS AT THE HEADQUARTERS OF THE PROVINCE OR SEAT OF GOVERNMENT				
Presidency Small Cause Courts	284	4,455	5,598	9,482
Superior Courts* ... ..	.....	.....	.....	.....
Total	284	4,455	5,598	9,482

* Statistics against the Sub-head "Superior Courts" have not been

His Majesty's High Court of Judicature,
 Appellate Side :
 Bombay, 10th June 1941.

No. 4 (CIVIL)

in the Civil Courts in the Province of Bombay in the year 1940

suits instituted					Total value of suits
Value Rs. 500 to Rs. 1,000	Value Rs. 1,000 to Rs. 5,000	Value above Rs. 5,000	Number of suits the value of which cannot be estimated in money	Total number of suits instituted	
6	7	8	9	10	11
					Rs. a. p.
1	2	.....	.....	31	11,024 1 0
.....	.....	.....	.....	9,504	1,35,738 5 8
5,977	4,529	649	4,164	103,608	4,31,85,278 4 11½
874	.....	.....	.....	12,607	19,86,083 12 1
40	90	101	90	381	28,26,855 14 4
6,692	4,621	750	4,254	126,181	4,81,44,430 6 ½
1,784	938	.....	.....	22,541	52,20,153 0 1
.....
1,784	938	.....	.....	22,541	52,20,153 0 1

shown as per order of the Hon'ble the Chief Justice, dated 27th February 1923.

K. A. ATHALYE,
Assistant Registrar.

JUDICIAL STATEMENT

Statement showing the General Result of the Trial of Civil
during the

CIVIL

Class of Courts 1	Number of suits before the Courts				
	Pending at the beginning of the year 2	Instituted during the year 3	Revived during the year 4	Otherwise received 5	Total 6
COURTS IN THE INTERIOR					
<i>Civil Courts</i>					
Unpaid Tribunals	22	31	2	1	56
Village Munsiffs' Courts	*2,987	9,504	55	...	12,546
Paid Sub-Divisional Tribunals	57,232	103,608	2,064	552	163,456
Small Cause Courts	6,121	12,607	225	...	18,953
District Courts other than Chief Courts of Districts.	424	381	2	72	879
Chief Courts of the Districts					
Total	*66,786	126,131	2,348	625	195,890
COURTS AT THE HEADQUARTERS OF THE PROVINCE OR SEAT OF GOVERNMENT					
Presidency Small Cause Courts	5,342	22,541	...	...	27,883
Superior Courts	2,718	2,695	209	...	5,617
Total	8,055	25,236	209	...	33,500
Grand Total	*74,841	151,367	2,557	625	229,390

Note.—Column 6—Total of entries in columns 7

* Inadvertently no suits were shown in last year's statement of Bijapur District. Hence the

His Majesty's High Court of Judicature,
Appellate Side :
Bombay, 10th June 1941.

No. 5 (CIVIL)

Cases of Original Jurisdiction in the Province of Bombay
year 1940

SUITS

Number of suits disposed of						
Under or- der of rules and S. Civil Pro- cedure Code	Without trial		Ex-parte		On admission of claims	
	Otherwise	Average duration (in days)	Number	Average duration (in days)	Number	Average duration (in days)
7	7A	8	9	10	11	12
5	2	336	1	117	2	43
954	1,081	208	2,062	204	2,349	144
5,686	7,897	249	19,501	176	9,004	97
395	1,052	165	3,241	101	2,701	120
13	20	154	158	181	43	95
7,053	10,052	237	25,263	169	14,099	109
262	.....	36	6,865	39	8,116	48
434	.....	317	1,372	328	10	53
696	.....	211	8,237	81	8,126	48
7,749	10,052	286	33,500	149	22,225	87

7A, 9, 11, 13, 15, 16, 18, 20 and 22.

difference of 21 is due to last year's pending suits.

K. A. ATHALYÉ,
Assistant Registrar.

JUDICIAL STATEMENT

Class of Courts	Number of suits				
	Compromised		After full trial		
	Number	Average duration (in days)	Judgment for Plaintiff	Judgment for Defendant	Average duration (in days)
1	13	14	15	16	17
COURTS IN THE INTERIOR					
<i>Civil Courts</i>					
Unpaid Tribunals	7	300	3	4	463
Village Munsiffs' Courts	2,404	145	1,076	314	155
Paid Sub-Divisional Tribunals	28,334	260	33,495	4,284	367
Small Cause Courts	2,072	82	2,474	181	250
District Courts other than Chief Courts of Districts.	60	146	197	52	283
Chief Courts of the Districts					
Total	32,877	240	37,245	4,835	352
COURTS AT THE HEADQUARTERS OF THE PROVINCE OR SEAT OF GOVERNMENT					
Presidency Small Cause Courts	5,648	41	1,103	512	70
Superior Courts	395	225	341	80	291
Total	6,044	53	1,444	592	116
Grand Total	38,921	291	38,689	5,427	341

Note.—Column 6—Total of entries in columns 7.

*His Majesty's High Court of Judicature,
Appellate Side :
Bombay, 10th June 1941.*

No. 5 (CIVIL)—*contd.*

disposed of				Pending at the close of the year	Pending for more than a year	Remarks
On reference to arbitration		By transfer				
Number	Average duration (in days)	Number	Average duration (in days)			
18	19	20	21	22	23	24
...	...	...	...	32	11	
...	...	447	121	1,859	53	
381	423	756	191	53,818	7,527	
13	49	124	264	6,700	56	
5	20	17	76	314	100	
309	406	1,344	173	62,723	7,747	
61	59		40	5,308	1,109	
...	...	...	...	2,984	1,567	
61	59	8	40	8,292	2,676	
460	860	1,352	172	71,015	10,423	

*A, 9, 11, 13, 15, 16, 18, 20 and 22.

K. A. ATHALYE,
Assistant Registrar.

JUDICIAL STATEMENT

Statement showing the General Result of the Trial of Civil
during the

MISCELLANEOUS

Class of Courts 1	Number of suits before the Courts				
	Pending at the beginning of the year 2	Instituted during the year 3	Revived during the year 4	Otherwise received 5	Total 6
COURTS IN THE INTERIOR					
<i>Civil Courts</i>					
Unpaid Tribunals ...	3	14	.....	.....	17
Village Munsiffs' Courts ...	16	41	.....	.....	57
Paid Sub-Divisional Tribunals ...	*6,665	10,693	50	13	17,421
Small Cause Courts ...	167	529	2	.....	698
District Courts other than Chief Courts of Districts. ...	639	1,456	5	1	2,101
Chief Courts of the Districts ...					
Total ...	*7,490	12,733	57	14	20,394
COURTS AT THE HEADQUARTERS OF THE PROVINCE OR SEAT OF GOVERNMENT					
Presidency Small Cause Courts ...	1,761	14,678	.....	.....	16,439
Superior Courts (†) ...	.....	.....	.....	.....	.....
Total ...	.....	.....	.....	.....	.....

* One suit in each of the district of Belgaum and Sholapur was inadvertently not

(†) Statistics against the sub-head "Superior Courts" have not been shown as per order of

Note.—Column 6—Total of entries in columns 7.

General (1)—Cases under Order XXI, rule 5S, should be treated as Miscellaneous

(2)—The classes of applications dealt with by Appellate Courts only and specified

No. 6 (CIVIL)

Cases of Original Jurisdiction in the Province of Bombay
year 1940

CASES

Number of suits disposed of

Without trial			Ex-parte		On admission of claims	
Under Order IX, rules 3 and 8, Civil Procedure Code	Otherwise	Average duration (in days)	Number	Average duration (in days)	Number	Average duration (in days)
7	7A	8	9	10	11	12
.....
2	10	47	11	54	14	29
1,038	744	265	1,164	129	891	168
74	70	39	31	49	66	38
55	132	140	293	164	168	95
1,169	956	237	1,499	134	1,139	148
9,119	.....	27	1,498	30	1,001	45
.....
.....

shown last year. Hence the figure is increased by 2.
the Honourable the Chief Justice, dated 27th February 1932.

7A, 9, 11, 13, 15, 16, 18, 20 and 22.

Cases.

in the note to Judicial Statement No. 8 should not be shown in this statement.

JUDICIAL STATEMENT

Class of Courts	Number of suits				
	Compromised		After full trial		
	Number	Average duration (in days)	Judgment for Plaintiff	Judgment for Defendant	Average duration (in days)
1	13	14	15	16	17
COURTS IN THE INTERIOR					
<i>Civil Courts</i>					
Unpaid Tribunals ... ..	.....	.....	10	3	153
Village Munsiffs' Courts	1	1	5	4	119
Paid Sub-Divisional Tribunals	303	199	4,934	1,860	501
Small Cause Courts	15	33	120	106	105
District Courts other than Chief Courts of Districts.	30	270	480	244	240
Chief Courts of the Districts					
Total	349	197	5,549	2,217	464
COURTS AT THE HEADQUARTERS OF THE PROVINCE OR SEAT OF GOVERNMENT					
Presidency Small Cause Courts	601	44	2,641	427	55
Superior Courts (*) ... ..	.....	.....	.....	.....	.....
Total ... ..	.....	.....	.....	.....	.....

(*) Statistics against the sub-head "Superior Courts" have not been shown as per order of

Note.—Column 6—Total of entries in columns 7.

General (1)—Cases under Order XXI, rule 58, should be treated as Miscellaneous

(2)—The classes of applications dealt with by Appellate Courts only and specified

His Majesty's High Court of Judicature,
Appellate Side :
Bombay, 10th June 1941.

No. 6 (CIVIL)—contd.

disposed of				Pending at the close of the year	Pending for more than a year	Remarks
On reference to arbitration		By transfer				
Number	Average duration (in days)	Number	Average duration (in days)			
18	19	20	21	22	23	24
.....	.....	.....	.....	4	.....
.....	.....	.....	.....	10	2	
97	1,278	9	176	6,451	1,400	
.....	.....	.....	.....	216	9	
.....	.....	14	40	685	102	
97	1,278	23	93	7,366	1,513	
.....	.....	.....	.....	1,162	102	
.....	
.....	

the Honourable the Chief Justice, dated 27th February 1922.

7A, 9, 11, 13, 15, 16, 18, 20 and 22.

Cases.

in the note to Judicial Statement No. 8 should not be shown in this statement.

K. A. ATHALYE,
Assistant Registrar.

JUDICIAL STATEMENT

Statement showing the business of the Civil Appellate

APPEALS FROM

Class of Courts 1	Number of Appeals before the Courts				Dismissed or not prosecuted		
	Pending at the beginning of the year 2	Instituted and reinstated during the year 3	Otherwise received 4	Total 5	Number 6	Average duration (in days) 7	Confirmed 8
COURTS IN THE INTERIOR							
APPEALS FROM ORIGINAL DECREES							
<i>Civil Courts</i>							
District Appellate Courts other than Chief Courts of Districts.	5,407	4,886	16	10,309	778	303	2,675
Chief Courts of Districts							
Total ...	5,407	4,886	16	10,309	778	303	2,675
COURTS AT THE HEADQUARTERS OF THE PROVINCE OR SEAT OF GOVERNMENT							
Chief Courts of Province—							
<i>High Court (Original Side)</i>							
Appeals from Decrees ...	12	14	...	26	2	117	11
<i>High Court (Appellate Side)</i>							
Appeals under the Letters Patent .	43	35	...	81	23	68	21
Appeals from Original Decrees (First Appeals).	607	380	4	991	57	59	205
Appeals from Appellate Decrees (Second Appeals).	1,305	1,045	...	2,350	366	93	496
Total ...	1,967	1,477	4	3,448	448	87	733
Grand Total ...	7,374	6,363	20	13,757	1,226	161	3,408

Note.—Column 5—Total of entries

His Majesty's High Court of Judicature,
Appellate Side :
Bombay, 10th June 1941.

No. 7 (CIVIL)

Courts of the Province of Bombay during the year 1940.

DECREES

Number of appeals disposed of						Pending at the close of the year	Pending for more than a year	Remarks
Modified	Reversed	Remanded for retrial	Average duration of appeals in columns 8, 9, 10 and 11 (in days)	By transfer				
				Number	Average duration (in days)			
9	10	11	12	13	14	15	16	17
600	787	255	469	4	178	5,210	1,352	These include 619 appeals disposed of by First Class Subordinate Judges invested with Appellate powers.
600	787	255	469	4	178	5,210	1,352	
3	4	...	202	...	...	7	1	
...	3	...	565	...	...	34	15	
31	83	5	789	...	...	613	276	
32	140	19	666	...	...	1,304	582	
65	227	17	490	...	...	1,958	854	
665	1,014	272	473	4	173	7,168	2,206	

in columns 6, 8, 9, 10, 11, 13 and 15.

K. A. ATHALYE,
Assistant Registrar.

JUDICIAL STATEMENT
Statement showing the business of the Civil Appellate
MISCELLANEOUS

Class of Courts 1	Number of Appeals before the Courts				Number of Appeals			
	Pending at the beginning of the year 2	Instituted and re-instituted during the year 3	Otherwise received 4	Total 5	Dismissed or not prosecuted		Confirmed 8	Modified 9
					Number 6	Average duration (in days) 7		
COURTS IN THE INTERIOR								
APPEALS FROM ORDERS								
<i>Civil Courts</i>								
District Appellate Courts other than Chief Courts of Districts. Chief Courts of Districts.	280	568	2	850	197	77	257	31
Total ...	280	568	2	850	197	77	257	31
COURTS AT THE HEADQUARTERS OF THE PROVINCE OR SEAT OF GOVERNMENT								
Chief Courts of Province—								
<i>High Court (Original Side)</i>								
Appeals from Orders ...	14	23	...	37	8	170	11	...
<i>High Court (Appellate Side)</i>								
Appeals from Orders ...	56	71	...	127	31	70	34	3
Appeals under the Workmen's Compensation Act.	1	7	...	8	1	14	...	...
Total ...	71	101	...	172	40	89	45	3
Grand Total ...	351	669	2	1,022	237	79	302	34

Note.—Column 5.—Total of entries in columns 6, 8, 9, 10, 11, 13 and 15.
General.—This statement should include not only Appeals from Orders under i.e., the cases entered in Judicial Statement No. 6.

His Majesty's High Court of Judicature,
Appellate Side :
Bombay, 10th June 1941.

No. 8 (CIVIL)

Courts of the Province of Bombay during the year 1940

APPEALS

disposed of							Remarks
Reversed	for re-trial	Average duration of appeals in columns 8, 9, 10 and 11 (in days)	By transfer		Pending at the close of the year	Pending for more than a year	
			Number	Average duration (in days)			
10	11	12	13	14	15	16	17
74	37	234	5	166	249	21	<p>In addition to these the following miscellaneous work was disposed of by the High Court, Appellate Side :-</p> <p>8 Applications to withdraw or transfer Suits or Appeals, Section 24, Civil Procedure Code.</p> <p>28 Applications for leave to Appeal as a pauper, Order XLIV, rule 1, Civil Procedure Code.</p> <p>14 Applications for Review of Judgment, Section 144, and Order XLVII, rule 1, Civil Procedure Code.</p> <p>25 Applications for leave to Appeal to His Majesty's Privy Council, Order XLV, rule 7, Civil Procedure Code.</p> <p>255 Applications for stay of execution, Order XLI, rule 5, Civil Procedure Code.</p> <p>595 Civil Revision Applications.</p> <p>10 Civil References; of these—</p> <p>3 were under the Indian Divorce Act (IV of 1869);</p> <p>4 were under the Bombay Pleaders Act (Bombay Act XVII of 1920).</p> <p>3 were under the Civil Procedure Code (V of 1908).</p> <p>739 All other applications under the Civil Procedure Code, not specially mentioned above, including disposed of by the Registrar or his Deputy.</p> <p>3,086 Applications disposed of out of Court by the Registrar and his Deputy.</p>
74	37	234	5	166	249	21	
8	...	122	...	...	10	4
6	...	453	...	...	53	16
...	...	.....	...	...	7	1
14	...	352	...	...	70	21
88	37	250	5	166	319	42	

section 104 of the Code of Civil Procedure, but also Appeals in Miscellaneous and Judicial Cases,

K. A. ATHALYE,
Assistant Registrar.

JUDICIAL STATEMENT

Statement showing the General Results of Trials
Province of Bombay

Class of Courts	Number of offences reported	Number of persons under trial	Persons
			Discharged or acquitted
1	2	3	4
Village Officers	1,125	2,859	1,639
Subordinate Magistrates—			
Special Magistrates under Section 14... ..	1,719	2,275	633
Honorary Magistrates sitting singly	74,702	87,157	15,300
Stipendiary Magistrates sitting singly	143,502	*218,131	72,196
Benches of Magistrates	103,193	117,276	6,430
Sanitary Committees and Sanitary Boards ... ..	.....	.....	.....
Village Panchayats	51	76	50
District and Divisional Magistrates—			
Cases referred under Sections 347 and 349, Criminal Procedure Code.	41	63	14
Chief Magistrates of Districts	135	140	11
Courts of Session	655	2,730	1,186
Superior Courts ... ..	.....	255	52
Total	531,123	*430,462	97,511

* 7 were sent to the Military Authorities.

† Besides these one person being insane was ordered to be detained in the Mental Hospital at

Notes.—Column 1.—Sub-head "Courts of Session" includes cases decided by Sessions Judges
Column 1.—Sub-head "Superior Courts" includes cases decided by the High Court
Column 3.—That is the total of the entries in columns 4 to 8. The cases of persons which decided or in which pending at the end of the year, if not decided.

Column 5.—Persons, whose cases were referred to a Superior Court for higher sentence, will be entered in column 6, and not in column 5 against the Court or acquitted according to the orders passed by it or as pending if orders have
Column 6.—These cases will be shown against the Courts who made the
Column 7.—A note against the figure for each Court should be made in the column other Provinces.

Column 8.—An insane accused, who has been sent to a Mental Hospital, should be or acquitted.

General.—The figures in this Statement should agree with those in Statement No.

His Majesty's High Court of Judicature,
Appellate Side :
Bombay, 10th June 1941.

No. 9 (CRIMINAL)

of Criminal Cases in the Tribunals of various classes in the
in the year 1940

whose cases were disposed of			Persons remaining under trial at the end of the year	Particulars of column 7		
Convicted	Committed or referred	Died, escaped or transferred to another province		Died	Escaped	Trans- ferred
631	.....	.....	89	.....	.....	.....
1,484	1	3	154	2	1	.....
63,931	33	55	7,768	51	4	.....
109,896	1,200	2,775	32,067	244	2,344	187
106,587	.....	22	4,337	22	.....	.....
.....
15	.....	.....	11	.....	.....	.....
48	.....	.....	1	.....	.....	.....
98	.....	1	30	1	.....	.....
1,168	36	11	829	7	2	2
1162	.....	1	39	.....	1	.....
1284,070	1,270	2,868	44,735	327	2,352	189

Yeravda and the case was reported to Government.

on reference under Sections 21, 34 and 123, Criminal Procedure Code.

on reference under Sections 307 and 374, Criminal Procedure Code.

transferred from one Court to another in the same province will appear only against the Court by

punishment, for orders under Section 562, Criminal Procedure Code, or for confirmation of making the reference. Against the Court receiving the reference they will be shown as convicted not been passed.

reference, entry being made as directed above.

of remarks, showing separately how many accused persons died, escaped or were transferred to

kept on the file and entered in this column until he has been tried and either convicted

11, and should include nothing else.

K. A. ATHALYE,
Assistant Registrar.

JUDICIAL STATEMENT

Statement showing General Results of Appeals and Revisions in

Tribunals	Number of			
	Number of appellants and applicants for revision before the courts	Appeals or applications rejected	Sentence or order confirmed	Sentence altered
1	2	3	4	5
<i>Appeals</i>				
To Chief Magistrates of Districts *	2,805	184	1,155	336
To Courts of Session	3,301	811	827	537
Superior Courts—				
By persons convicted	699	355	150	58
By a third party	1	.....	.....	1
By Government from judgment of acquittal	98	6	53	3
Total	6,899	1,356	2,185	925
<i>Revisions</i>				
By Chief Magistrates of Districts	239	303	.....	.....
By Courts of Session	1,317	1,444	.....	.....
By Superior Courts	461	408	51	25
Total	2,017	2,155	51	25
Grand Total	*8,916	3,511	2,236	950

Notes.—Column 1.—Sub-head "To Chief Magistrates of Districts" includes other Magistrates
 Column 2.—Total of columns 3 to 9. Cases transferred from one Court to another in the end of the year, if not decided. The words "Applicants for Revision" in the application for revision is made, or in whose interest the Magistrate or Judge may be taken on behalf of a *complainant*, the fact should be noted with the number of case the accused persons against whom the application is made, though not appear of such application. This note is held to apply also to cases dealt with by the High
 Column 4.—Appeals dismissed under Section 423, Criminal Procedure Code, should be
 Column 7.—In this column should be entered (1) orders for discharge set aside by and new trials or further inquiries ordered. (3) cases referred to the High Court
 Column 8.—A note against the figure for each Court should be made in the column to another Province.
 General.—Persons whose appeals were rejected under Section 421, Criminal Procedure whose cases the Courts have refused to submit to the High Court.
 In columns 4 to 6 should be shown opposite the sub-heads for "Magistrates of without reference to the High Court.

His Majesty's High Court of Judicature, }
 Appellate Side : }
 Bombay, 10th June 1941.

No. 10 (CRIMINAL)

Criminal Cases in the Province of Bombay in the year 1940

Persons				Remarks
Sentence reversed	dis- posed of	Died, escaped, or transferred to another Pro- vince	Pending trial	
6	7	8	9	
				10
674	35	.....	431	
737	32	1	356	
79	5	.....	52	
.....	
19	2	.....	10	
1,509	74	1	849	
.....	131	1	38	
.....	377	.....	274	
46	15	.....	47	
46	523	1	359	
1,555	597	2	1,208	

* In the applications for revision made on behalf of complainants there were 1,143 accused persons involved and these must be added to the grand total of column 2 to make it equal to the total of columns 3 to 9.

authorized to hear appeals under Section 407, Criminal Procedure Code. *the same province* will appear only against the Court by which decided, or in which pending at heading of this column should be held to include only *accused persons* on whose behalf an take steps to obtain revision on his own motion. Where such application is made or such steps complainants and the number of accused concerned in the column of remarks. In the latter ing in this column, will fall into their proper places in columns 3 to 9 according to the result Court on review of returns.

entered in this column.
Superior Courts under Section 436, Criminal Procedure Code, (3) proceedings quashed in appeal and (4) all other cases which do not fall under columns 4, 5 and 6.

of remarks showing separately how many accused persons died, escaped or were transferred Code, should be entered in column 3, in which should also be included applicants for revision Districts" and "Courts of Session" persons whose cases were disposed of by those Courts

K. A. ATHALYE,
Assistant Registrar.

JUDICIAL STATEMENT

Statement of offences reported and of Persons tried,
Province of Bombay

Description of Offence	NUMBER OF CASES		
	Offences reported	Returned as true	Brought to trial during the year
1	2	3	4
Offences relating to Criminal Conspiracy Chapter V-A of the Indian Penal Code.	.....	.....	1
Offences against the State—Chapter VI of the Indian Penal Code.	10	10	12
Offences relating to the Army and Navy—Chapter VII of the Indian Penal Code.	3	3	3
Offences against the Public Tranquillity—Chapter VIII of the Indian Penal Code.	1,532	1,454	1,603
Attempts at do. ...	10	10	10
Offences by or relating to Public Servants—Chapter IX of the Indian Penal Code.	105	101	114
Attempts at do. ...	.....	.....	.....
Offences relating to Elections—Chapter IXA of the Indian Penal Code.	1	1	1
Contempts of the lawful authority of public Servants—Chapter X of the Indian Penal Code.	560	528	610
Attempts at do. ...	8	6	6
False evidence and offences against public Justice—Chapter XI of the Indian Penal Code.	714	639	791
Attempts at do. ...	2	2	2
Offences relating to coins—Chapter XII of the Indian Penal Code.	69	35	63
Offences relating to Government Stamps—Chapter XII of the Indian Penal Code.	24	21	29
Attempts at do. ...	.....	.....	.....
Offences relating to weights and measures—Chapter XIII of the Indian Penal Code.	37	37	43
Attempts at do. ...	.....	.....	.....
Offences affecting the public health, safety, convenience, decency and morals—Chapter XIV of the Indian Penal Code.	935	862	1,009
Attempts at do. ...	1	1	1
Offences relating to religion—Chapter XV of the Indian Penal Code.	52	49	56
Attempts at do. ...	.....	.....	.....
Offences affecting the human body, Chapter XVI—			
Offences affecting life ...	838	779	1,025
Attempts at do. ...	18	18	26
Causing of miscarriage, injuries to unborn children, exposure of infants and the concealment of births.	57	55	62
Attempts at do. ...	.....	.....	.....
Hurt ...	15,201	14,456	16,738
Attempts at do. ...	77	74	77
Wrongful restraint and wrongful confinement.	799	695	820
Attempts at do. ...	1	1	1
Criminal force and assault ...	3,600	3,213	3,815
Attempts at do. ...	9	9	9
Kidnapping, forcible abduction, slavery and forced labour.	295	254	315
Attempts at do. ...	7	7	7
Rape ...	59	55	62
Attempts at do. ...	4	3	10
Unnatural offences ...	27	26	32
Attempts at do. ...	.....	.....	.....
Offences against property, Chapter XVII—			
Theft ...	8,667	8,250	9,119
Attempts at do. ...	88	87	89

* Besides these one accused being insane was ordered to be detained in the Mental Hospital at

No. 11 (CRIMINAL)

convicted and acquitted of each class of offence in the
in the year 1940

NUMBER OF PERSONS					REMARKS				
Under trial during the year including pending from previous year	Acquitted or discharged	Convicted	Died, escaped, or transferred to another Province	Remaining under trial	Complaints dismissed under Section 203, Criminal Procedure Code	Complainants fined under Section 250, Criminal Procedure Code	Died	Escaped	Transferred
5	6	7	8	9	10	11	12	13	14
3	.....	8	...	...	.....	.....	...	...	...
17	40	4	1	2	.....	.....	...	...	1
12	6	5	1	...	.....	.....	...	...	1
7,464	2,255	3,448	12	1,752	34	1	4	6	2
65	41	19	...	5	.....	.....	...	...	...
171	47	87	...	37	.....	.....	...	...	...
.....
1	.....	.....	.....	1	.....	.....	.....	.....	.....
818	190	470	11	147	2	1	5	...	6
17	1	16	...	...	.....	.....	...	...	...
939	263	400	11	265	8	.....	1	2	6
2	.....	2	...	...	.....	.....	.....	.....	.....
109	34	62	...	13	.....	.....	.....	.....	.....
32	7	20	...	5	.....	.....	.....	.....	.....
.....
50	13	34	...	3	.....	.....	.....	.....	.....
.....
1,308	185	860	4	259	2	.....	2	1	3
1	.....	1	...	...	.....	.....	.....	.....	.....
118	44	38	...	36	.....	.....	.....	.....	.....
.....
1,817	601	725	13	477	5	.....	9	...	4
40	5	18	1	15	.....	.....	1	...	...
82	26	61	...	6	1	.....	.....	.....	.....
.....
30,811	27,826	4,561	34	7,390	698	35	16	9	3
169	105	54	...	9	2	1	...	...	...
1,864	1,236	193	1	428	64	4	1	...	...
1	.....	1	...	...	.....	.....	.....	.....	.....
7,072	5,128	582	6	1,066	291	10	3	...	3
11	6	4	...	1	.....	.....	.....	.....	.....
640	322	154	9	148	22	1	1	...	8
16	4	4	...	8	.....	.....	.....	.....	.....
126	48	47	...	31	1	.....	.....	.....	.....
10	4	5	...	1	.....	.....	.....	.....	.....
41	20	17	...	4	.....	.....	.....	.....	.....
.....
14,043	3,579	8,441	54	1,969	142	27	17	9	28
145	21	81	...	43	1	.....	.....	.....	.....

Veravda and the matter was reported to Government.

JUDICIAL STATEMENT

Description of Offence	NUMBER OF CASES		
	Offences reported	Returned as true	Brought to trial during the year
1	2	3	4
Offences against property, Chapter XVII			
<i>-contd.</i>			
Extortion	206	181	211
Attempts at Extortion	4	4	4
Robbery and dacoity	540	480	603
Attempts at do.	7	7	7
Criminal misappropriation of property	903	787	1,003
Attempts at do. ... ..	.....	.....	.....
Criminal breach of trust	2,192	1,914	2,326
Attempts at do.	19	19	19
Receiving of stolen property	1,117	1,074	1,167
Attempts at do.	5	5	5
Cheating	2,152	1,908	2,190
Attempts at do.	10	10	12
Fraudulent deeds and disposition of property.	87	65	85
Attempts at do. ... ..	.....	.....	.....
Mischief	2,456	1,938	2,401
Attempts at do.	10	10	10
Criminal trespass	4,796	4,324	4,925
Attempts at do.	55	55	57
Offences relating to documents and to trade or property marks, Chapter XVIII of the Indian Penal Code.	123	109	124
Attempts at do.	4	2	2
Criminal breach of contracts of service, Chapter XIX of the Indian Penal Code.	4	4	5
Offences relating to marriage, Chapter XX of the Indian Penal Code.	1,574	1,231	1,490
Attempts at do. ... ..	.....	.....	.....
Defamation, Chapter XXI of the Indian Penal Code.	623	538	720
Attempts at do.	7	6	7
Criminal intimidation, insult and annoyance, Chapter XXII of the Indian Penal Code.	5,547	4,810	5,718
Attempts at do.	30	30	35
Offences under Special and Local Laws--			
India Act--			
Arms Act XI of 1873 (India).	286	270	303
Auxiliary Force Act XLIX of 1920	1	1	1
Cantonments Act II of 1924	288	272	294
Cantonment Rules of 1899 ... ..	.....	.....	.....
Cattle Tresspass Act I of 1871	665	617	689
Child Marriage Restraint Act XIX of 1929.	297	93	124
Copyright Act III of 1914	1	1	2
Cotton Ginning and Pressing Factories Act XII of 1925. ... ..	.....	.....	.....
Cotton Transport Act III of 1923	1	1	1
Court Fees Act VII of 1870... ..	.....	.....	.....
Criminal Law Amendment Act XIV of 1908. ... ..	.....	.....	.....
Criminal Procedure Code V of 1908	1,571	1,171	1,371
Criminal Tribes Act VI of 1924	724	713	738
Dangerous Drugs Act II of 1930	74	73	86
Defence of India Act XXXV of 1939	1,645	1,643	1,542
Dekkan Agriculturists' Relief Act XVII of 1879.	28	16	15
Electricity Act IX of 1910	23	22	16
Employment of Children Act XXXVI of 1938.	1	1	1
European Vagrancy Act IX of 1874	20	20	20
Factories Act XXV of 1934	293	287	293

No. 11 (CRIMINAL)—contd.

NUMBER OF PERSONS					REMARKS				
Under trial during the year including pending from previous year	Acquitted or discharged	Convicted	Died, escaped, or transferred to another Province	Remain-ing under trial	Com-plaints dismissed under Section 203, Criminal Procedure Code	Com-plainants fined under Section 250, Criminal Procedure Code	Died	Escap-ed	Trans-ferred
5	6	7	8	9	10	11	12	13	14
857	107	172	...	78	7	9	...	...	...
13	13	...	...	...	...	...	...	...	...
2,088	807	627	8	656	23	4	3	2	3
26	20	4	...	2	...	...	...	...	...
1,348	932	93	4	319	76	4	...	...	4
...
2,732	1,133	969	34	596	157	2	5	3	26
v1	5	14	1	1	...	...	...	...	1
1,774	503	1,066	3	197	3	...	1	1	1
8	1	6	...	1	...	...	...	...	...
3,280	1,054	592	29	685	217	6	1	3	25
18	11	6	...	1	...	...	...	...	...
170	127	6	3	34	9	...	...	...	3
...
6,293	4,639	492	2	1,270	222	8	2	...	...
24	20	4	...	...	...	...	...	...	...
13,133	7,304	2,283	24	2,512	220	9	10	1	13
152	101	39	...	12	...	...	...	...	...
271	137	55	5	74	5	...	1	...	4
...
12	12	...	...	...	2	...	...	...	...
15	7	...	...	8	...	...	...	...	...
8,211	2,433	69	18	671	220	1	1	...	17
...
1,468	970	82	7	409	39	1	1	...	6
...
21	5	6	...	10	1	...	...	...	...
11,567	9,118	547	17	1,875	572	7	16	...	1
...
35	1	34	...	...	...	...	...	...	...
...
327	42	254	1	30	...	...	1	...	...
1	1	...	...	...	...	...	...	...	...
346	38	283	...	25	...	...	...	...	...
...
1,649	1,211	221	1	216	28	3	...	1	...
391	140	158	1	92	12	...	...	...	1
...
2	2	...	...	...	...	...	...	...	...
...
1	...	1	...	...	...	...	...	...	...
...
...
2,634	1,027	1,104	7	605	280	...	1	1	5
773	66	641	7	59	...	...	...	2	5
98	10	79	...	9	...	...	...	...	...
1,681	126	1,527	1	27	...	...	1	...	...
16	13	3	...	...	12	...	...	...	...
...
19	2	14	1	2	1	...	1	...	...
1	...	...	...	1	...	...	...	...	...
...
20	...	20	...	...	...	...	...	...	...
306	22	277	...	7	...	...	...	...	...

JUDICIAL STATEMENT

Description of Offence	NUMBER OF CASES		
	Offences reported	Returned as true	Brought to trial during the year
1	2	3	4
Offences under Special and Local Laws —contd.			
India Acts—contd.			
Foreigners Act II of 1940 (India).	3	3	3
Forest Act XVI of 1927	3,085	2,723	2,158
Identification of Prisoners' Act XXXIII of 1920.	1	1	1
Indian Boilers Act V of 1923	1	1	1
Indian Companies Act VII of 1913	20	20	27
Indian Emigration Act VII of 1922 ... ..	.....	.....	.....
Indian Excise (Spirits) Act XVI of 1863.	.....	.....	.....
Indian Explosives Act IV of 1884	60	59	62
Indian Income Tax Act XI of 1922	1	1	1
Land Customs Act XIX of 1924 ... ..	.....	.....	.....
Lepers Act III of 1896	190	190	199
Lunacy Act IV of 1912 ... ..	.....	.....	.....
Merchant Shipping Act XXI of 1923	35	35	36
Motor Vehicles Act IV of 1939	10,501	10,157	12,25
Mussalman Wakf Act XLII of 1923	3	3	4
Official Secrets Act XIX of 1923	1	.....	1
Opium Act I of 1875	782	767	759
Passport Act XXXIV of 1920	2	2	2
Payment of Wages Act IV of 1936	4	2	3
Petroleum Act VIII of 1899	43	42	45
Poisons Act XII of 1919	2	2	2
Police Act V of 1861 ... ..	.....	.....	.....
Ports Act XV of 1908	5	4	5
Post Offices Act VI of 1899	12	11	15
Press and Registration of Books Act XXV of 1867.	1	1	1
Presidency Small Cause Courts Act XV of 1882.	.....	.....	.....
Presidency Towns Insolvency Act III of 1909.	40	40	66
Prevention of Cruelty to Animals Act XI of 1890.	22,066	22,018	22,109
Press (Emergency Powers) Act XXIII of 1931.	12	12	12
Prisons Act IX of 1894	24	23	24
Prisoners Act III of 1930	1	1	1
Provincial Insolvency Act V of 1920 ... ..	.....	.....	.....
Railways Act IX of 1890	6,224	6,202	6,268
Registration Act XVI of 1908	5	5	5
Salt Act XII of 1882	10	10	10
Stage Carriages Act XVI of 1861	9	9	9
Stamp Act II of 1899	17	17	17
Telegraph Act XIII of 1885	8	8	8
Territorial Force Act XLVIII of 1920....	.....	.....	.....
Treasure Trove Act VI of 1878	7	4	5
Wild Birds and Animals Protection Act VIII of 1912.	2	2	2
Wireless Telegraphy Act XVII of 1933.	163	159	176
Bombay Acts—			
Abkari Act V of 1878 (Bombay).	10,559	10,473	10,510
Children Act XIII of 1924	113	113	118
City of Bombay Municipal Act III of 1886.	49,345	49,345	56,074

No. 11 (CRIMINAL)—contd.

NUMBER OF PERSONS					REMARKS				
Undertrial during the year including pending from previous year	Acquitted or discharged	Convicted	Died, escaped or transferred to another Province	Remaining under trial	Com-plaints dismissed under Section 203, Criminal Procedure Code	Com-plainants fined under Section 250, Criminal Procedure Code	Died	Escap-ed	Trans-ferred
5	6	7	8	9	10	11	12	13	14
3	.....	2	...	1	.....	.....	...	...	...
3,787	1,488	1,736	13	550	.....	.....	13	...	...
1	.....	1	...	...	.....	.....	...	...	...
1	.....	1	...	...	.....	.....	...	...	...
42	15	20	1	6	.....	.....	1	...	...
.....
65	3	56	.....	6	.....	.....	.....	.....	.....
3	3	.....	.....	.....	.....	.....	.....	.....	.....
.....
199	.....	199	.....	.....	.....	.....	.....	.....	.....
.....
36	35	.....	1	.....	.....	.....	1	.....	.....
12,410	1,516	8,706	10	2,178	15	.....	9	1	.....
4	.....	1	.....	3	.....	.....	.....	.....	.....
1	.....	.....	.....	1	.....	.....	.....	.....	.....
880	61	778	2	39	.....	.....	1	2	.....
2	1	1	.....	.....	.....	.....	.....	.....	.....
3	1	1	.....	1	1	.....	.....	.....	.....
48	6	35	.....	7	.....	.....	.....	.....	.....
2	.....	2	.....	.....	.....	.....	.....	.....	.....
.....
5	.....	4	.....	1	.....	.....	.....	.....	.....
15	.....	12	1	2	.....	.....	1	.....	.....
1	1	.....	.....	.....	.....	.....	.....	.....	.....
.....
72	42	7	.....	23	.....	.....	.....	.....	.....
22,117	285	21,522	6	204	.....	.....	6	.....	.....
12	6	4	.....	2	.....	.....	.....	.....	.....
25	.....	24	.....	2	.....	.....	.....	.....	.....
1	.....	1	.....	.....	.....	.....	.....	.....	.....
.....
6,880	146	6,663	.....	71	.....	.....	.....	.....	.....
9	.....	9	.....	.....	.....	.....	.....	.....	.....
28	.....	25	.....	.....	.....	.....	.....	.....	.....
9	1	8	.....	.....	.....	.....	.....	.....	.....
17	9	8	.....	.....	.....	.....	.....	.....	.....
10	.....	9	.....	1	.....	.....	.....	.....	.....
.....
9	.....	3	.....	6	2	.....	.....	.....	.....
2	2	.....	.....	.....	.....	.....	.....	.....	.....
178	31	136	1	10	.....	.....	.....	.....	1
.....
12,123	1,481	10,071	5	566	1	.....	5	.....	.....
136	10	114	.....	12	.....	.....	.....	.....	.....
56,080	7,453	43,564	29	5,034	.....	.....	29	.....	.....

JUDICIAL STATEMENT

Description of Offence	NUMBER OF CASES		
	Offences reported	Returned as true	Brought to trial during the year
1	2	3	4
Offences under Special and Local Laws—			
<i>concid.</i>			
Bombay Acts—contd.			
City of Bombay Police Act IV of 1902 (Bombay)	74,559	74,559	76,639
Coasting Vessels Act XIX of 1838	6	6	7
Devadasis Protection Act X of 1934	2	2	2
District Municipal Act III of 1901	12,031	8,856	12,173
District Police Acts VII of 1867 and IV of 1890.	45,545	42,742	46,137
District Tobacco Act II of 1933	87	84	84
Entertainments Duty Act I of 1923	3	3	4
Fodder and Grain Control Act XXVI of 1939.	14	14	14
Industrial Disputes Act XXV of 1938... ..	11	2	11
Irrigation Act VII of 1879	3	3	4
Land Revenue Code V of 1879	43	43	46
Local Boards Act VI of 1923	7	7	7
Markets and Fairs Act IV of 1862 ... ..	.....	.....	.....
Motor Vehicles Tax Act XXXIV of 1935	195	192	225
Municipal Boroughs Act XVIII of 1925.	8,791	8,705	9,454
Opium Smoking Act XX of 1936	122	121	122
Port Trust Act VI of 1879 ... ..	.....	.....	.....
Prevention of Adulteration Act V of 1925.	3,471	3,015	3,481
Prevention of Gambling Act IV of 1887	5,636	5,559	6,500
Prevention of Prostitution Act XI of 1923.	348	346	367
Primary Education Act IV of 1923	942	887	936
Prize Competition Tax Act XI 1939	1	1	1
Public Conveyances Act VII of 1920	11,339	11,223	11,454
Public Ferries Act II of 1868	9	9	10
Sales Tax Act V of 1939	1	1	1
Salt Act II of 1890	25	22	29
Smoke Nuisances Act VII of 1912	15	15	17
Special (Emergency) Powers Act XVI of 1932.	4	4	4
Tobacco Duty (Town of Bombay) Act IV of 1857.	149	149	149
Tolls Act III of 1875 ... ..	.....	.....	.....
Tramways Act I of 1874 ... ..	.....	.....	.....
Town Planning Act I of 1915	8	5	8
Vaccination Act I of 1877	30	29	35
Village Panchayats Act VI of 1933	24	24	24
Village Police Act VIII of 1867	1,093	1,078	1,402
Village Sanitation Act I of 1889 ... ..	.....	.....	.....
Weights and Measures Act XV of 1932.	162	155	167
41 and 45 Vic. Chap. 58 Statute	7	7	7
Total ...	341,123	316,853	347,046

Notes.—Column 1.—(1) "Attempts" should be entered immediately after the offences to
 (2) "Abatements" should be included with the substantive offences
 (3) When giving the list of Special and Local Laws against which offences
 as its number and year. An Act of a local legislature should be
 Column 2.—All offences (cases) of which information was given, complaint made, or
 to be shown, although some of the charges may not have been prosecuted, or
 Column 3.—This column should be the total of column 2 less the number of cases
 the charge was false, and that the offence never occurred, or which were dismissed
 Column 5.—This column should be the total of columns 6 to 9.
 Column 8.—Persons transferred from one court to another in the same province
 showing respectively the number of persons who died, escaped or were transferred.
 General.—Cases committed or referred should not be included in this statement by
 shown by the Courts to which the cases are committed or referred. If the total
 difference should correspond with the total of column 5 of this statement.

His Majesty's High Court of Judicature,
 Appellate Side :
 Bombay, 10th June 1941.

No. 11 (CRIMINAL)—concl'd.

NUMBER OF PERSONS					REMARKS				
Under trial during the year including pending from previous year	Acquitted or discharged	Convicted	Died, escaped, or transferred to another Province	Remain- ing under trial	Com- plaints dismissed under Section 203, Criminal Procedure Code	Com- plaints fined under Section 250, Criminal Procedure Code	Died	Escap- ed	Trans- ferred
5	6	7	8	9	10	11	12	13	14
77,010	1,432	74,856	..	792	.....	.....	..	..	..
10	2	6	..	2	.....	.....	..	..	..
8	.....	3	..	5	.....	.....	..	..	..
15,191	743	8,973	2,019	3,456	.....	.....	110	1,909	..
49,524	1,439	43,725	348	4,012	.....	.....	32	326	..
95	.....	87	..	8	.....	.....	..	..	..
6	1	5	..	..	.....	.....	..	..	..
16	1	4	..	11	.....	.....	..	..	..
11	.....	2	..	9	.....	.....	..	..	..
11	.....	10	..	1	.....	.....	..	..	..
58	2	56	..	..	.....	.....	..	..	..
7	.....	7	..	..	.....	.....	..	..	..
.....
225	68	129	..	28	.....	.....	..	..	..
9,536	1,154	7,386	5	1,041	.....	.....	5	..	..
331	40	282	..	9	.....	.....	..	..	..
.....
3,677	578	2,543	77	479	.....	.....	1	76	..
10,138	2,216	6,763	6	1,143	.....	.....	6	..	..
357	50	310	..	27	.....	.....	..	..	..
941	41	838	7	55	.....	.....	7	..	..
1	1	..	..	..	.....	.....	..	..	..
11,461	181	11,004	4	272	.....	.....	4	..	..
18	8	6	..	10	.....	.....	..	..	..
1	1	..	..	..	.....	.....	..	..	..
38	6	29	..	4	.....	.....	..	..	..
17	3	12	..	2	.....	.....	..	..	..
4	2	2	..	..	.....	.....	..	..	..
149	2	148	..	..	.....	.....	..	..	..
.....
.....
8	3	1	1	3	.....	.....	1	..	..
35	20	14	..	1	.....	.....	..	..	..
0	13	17	..	..	.....	.....	..	..	..
2,304	1,503	613	..	88	.....	.....	..	..	..
.....
188	33	140	..	15	.....	1	..	..	..
7	.....	..	..	..	.....	.....	..	..	..
429,192*	97,511	284,070†	2,888	44,735	3,756	180	327	2,562	189

which they relate, abetted.

have been committed, care should be taken to specify the title of each Act quoted, as well distinguished by initial letters placed after the number of the Act. cognizance taken under Chapters IV, V, XIV, XVI, Cr. P. C., for the first time during the year are may have turned out to be false. dismissed under section 203, Cr. P. C., and less all other cases in which a Magistrate declared that as frivolous and vexatious and in which the complainant was fined under Section 250, Cr. P. C.

are not to be entered in this column. A note should be added in the column of remarks the committing or referring Magistrates. The results of the trials in these cases should be of column 6 of Statement No. 9 be deducted from the total of column 3 of that statement, the

* 7 were sent to the Military Authorities.

† Besides these one accused being insane was ordered to be detained in the Mental Hospital at Yeravda and the matter was reported to Government.

K. A. ATHALYE,
Assistant Registrar.

JUDICIAL STATEMENT

Statement showing the punishments inflicted in Criminal
of Bombay

Class of Tribunal	Number of persons executed	Number of persons sentenced to							
		Death	Transportation or Penal servitude	Imprisonment	Fine or forfeiture	Whipping	Give security	Fine of	
								Rs. 10 and under	Over Rs. 10
1	2	3	4	5	6	7	8	9	10
Village Courts	...	...	...	46	588	...	...	588	...
Subordinate Magistrates—									
Special Magistrates under Sec. 14.	...	...	...	187	1,280	...	27	1,173	107
Honorary Magistrates sitting singly.	...	...	...	1,301	60,435	1	658	57,612	2,892
Stipendiary Magistrates sitting singly.	...	...	...	11,878	93,184	15	6,224	74,947	18,236
Benches of Magistrates.	...	...	...	591	100,031	...	73	95,693	5,238
Sanitary Boards and Sanitary Committees.	...	...	...	...	...	...	...	...	...
Village Panchayats	...	...	...	...	14	...	...	14	...
District and Divisional Magistrates—									
Cases referred under Secs. 347 and 349, Criminal Procedure Code.	...	...	...	36	3	...	7	2	1
Chief Magistrates of Districts.	...	...	...	5	1	...	1	...	1
Courts of Session	30	25	110	979	103	1	24	6	97
Superior Courts	10	36	17	112	2	...	...	...	2
Total	40	61	127	15,135	256,541	17	7,014	23,035	26,504

Notes.—Column 1.—Sub-head "Courts of Session"—Includes cases decided by Sessions

Column 1.—Sub-head "Superior Courts"—Includes cases decided by the High

Column 12.—Includes fines realized during the year though imposed in previous exercise of Original Jurisdiction only.

Column 13.—Represents compensation awarded to complainants under section 545, "realized" in columns 11 and 12, for they form part of such fines.

General (1).—The total of column 5 should correspond with the total of columns 14 should be shown in the remarks column, the total of the remainder

(2).—This statement is meant to exhibit every sentence passed, and where number of persons entered in this statement as punished with the which fulfilment of contract is ordered under Act XIII of 1859 in a under Section 562, Code of Criminal Procedure, or for confirmation such higher Court, and not against the Court making the reference.

His Majesty's High Court of Judicature,
Appellate Side:
Bombay, 10th June 1941.

No. 12 (CRIMINAL)

Cases by the various Criminal Tribunals in the Province
in the year 1940

Total amount of fines			Number of persons sentenced to imprisonment of				Remarks.
Imposed	Realized	Paid as compensation	15 days and under	Above 15 days to 6 months	Above 6 months to 2 years	Above 2 years	
11	12	13						14	15	16	17
Rs. a. p. 739 9 0	Rs. a. p. 719 9 0	Rs. a. p.	46	...	...	...
6,008 8 0	5,850 12 0	24 4 0	35	95	87	...	
1,72,239 15 3	1,46,440 15 0	2,056 9 0	405	761	120	15	1 sentenced to forfeiture.
10,38,486 3 8	7,40,111 0 5	16,024 5 9	2,827	7,743	1,399	109	1 sentenced to forfeiture.
1,91,914 3 3	1,39,418 11 3	1,265 12 0	302	249	1	39	
.....	
15 12 0	10 12 0	.....	...	...	...	...
90 0 0	40 0 0	.....	1	37	8	...	
200 0 0	.....	.....	...	2	1	2	
20,605 0 0	16,325 6 3	555 0 0	51	152	296	490	
700 0 0	.....	.....	...	3	26	83	
14,98,979 3 2	10,48,917 1 11	19,934 14 9	3,467	9,032	1,908	728	3 sentenced to forfeiture.

Judges on reference under Section 123, Criminal Procedure Code.

Court on reference under Sections 307 and 374, Criminal Procedure Code.

years. This column is intended to show the realized portion of fines imposed by Officers in the Act V of 1898. These awards should also be shown under the head *fines* "imposed" and

to 17 (both inclusive), and deducting the number of persons sentenced to forfeiture, which in column 6 should correspond with the total of columns 9 and 10.

two penalties are inflicted on the same offender to exhibit them both. Further to reconcile the number entered as convicted in Statement No. 9, it is necessary to note cases such as those in foot-note. As regards persons whose cases were referred for higher punishment or for orders of sentence, the punishment, if any, sanctioned by the higher Court should be entered against

K. A. ATHALYE,
Assistant Registrar.

JUDICIAL STATEMENT

Statement showing the result of Proceedings on applications
Province of Bombay

Class of Courts	Total number of applications for the execution of decrees before the Courts	APPLICATIONS DISPOSED OF				Pending at the end of the year	Number of applications pending more than three months at the close of the year	Amount realized
		By transfer	Satisfaction obtained in full	Satisfaction obtained in part	Wholly infructuous			
1	2	3	4	5	6	7	8	9
COURTS IN THE INTERIOR								
<i>Civil Courts</i>								
Unpaid Tribunals ...	66	2	10	10	27	17	12	Rs. a. p. 27,051 13 0
Village Courts ...	9,030	708	1,471	1,945	2,796	2,110	934	17,755 0 5
Paid Sub-Divisional Tribunals.	259,723	1,032	20,330	39,051	83,448	115,862	78,892	80,21,524 1 10
Small Cause Courts ...	20,582	12	1,347	3,341	8,734	7,248	4,198	1,08,199 15 1
District Courts other than Chief Courts of Districts ...	659	69	217	28	156	219	71	19,594 3 1
Total ...	290,190	1,823	23,375	44,375	95,161	125,456	84,107	82,84,125 1 5
COURTS AT THE HEAD-QUARTERS OF THE PROVINCE OR SEAT OF GOVERNMENT								
Presidency Small Cause Courts.	16,138	2,302	1,770	3,725	5,993	2,439	1,097	7,35,246 3 0
Superior Courts ...	1,967	305	127	14	794	727	(a)	(a)

Note.—Column 2—Total of the
(a) Statistics in these columns have not been shown as per order

Statement showing the number and duration of Darkhasts disposed of
Collectors or the Civil Courts in the Province of Bombay

By whom immoveable property was sold	Total number of Darkhasts in which immoveable property was sold	Number of Darkhasts in		
		Less than a year	Over 1 year	Over 2 years
1	2	3	4	5
By the Civil Courts ...	2,230	474	1,000	459
By the Collectors ...	2,770	42	460	843

His Majesty's High Court of Judicature,
Appellate Side :
Bombay, 10th June 1941.

No. 13 (CIVIL)

for the Execution of the Decrees of the Civil Courts in the
in the year 1940

NUMBER OF APPLICATIONS												
10	11	On which moveable property		On which immoveable property		On which possession was given		19	20	21	22	
		12	13	14	15	16	17					18
On which the judgment-debtor was imprisoned	On which he was arrested but released without imprisonment	Was sold	Was attached, but subsequently released	Was sold	Was dealt with under r. 88, O. XXI, Section 3 of Schedule III or Section 73 of Act V of 1908	Was attached, but subsequently released under r. 56, O. XXI	Of moveables	Of immoveables	On which specific performance was enforced	On which partition was effected	On which execution was effected otherwise than the preceding columns	Remarks
...	...	2	...	3	...	1	...	2	1	1	39	
...	1	15	45	...	...	...	...	...	...	...	3,301	
78	268	561	482	4,997	69	1,903	53	2,886	143	310	36,170	
38	123	44	47	...	...	...	...	68	...	...	...
1	1	...	1	...	...	1	...	3	...	...	41	
117	393	623	575	5,000	69	1,905	53	2,959	144	311	39,551	
10	112	697	424	...	...	...	598	...	...	...	1,720	
(a)	(a)	(a)	(a)	(a)	(a)	(a)	(a)	(a)	(a)	(a)	(a)	

entries in columns 3 to 7.
of the Honourable the Chief Justice, dated 27th February 1922.

during the year 1940, in which immoveable property was sold by the
(vide Government letter No. 875, dated 16th February 1904).

column 2 which were pending

Over 3 years	Over 4 years	Over 5 years	Over 6 years	Over 7 years	Over 8 years	Over 9 years	Over 10 years
6	7	8	9	10	11	12	13
153	73	40	16	8	3	2	2
663	441	165	67	36	19	22	13

K. A. ATHALYE,
Assistant Registrar.

JUDICIAL STATEMENT No. 14

Statement showing the amount of work disposed of by the

Names of Courts	Criminal Work		Civil			
	Cases disposed of by the Sessions Court	Appeals disposed of by the Sessions Court	Original			
			Total number of suits before the Court	Disposed of	Pending at the end of the year under report	Pending at the end of the preceding year
1	2	3	4	5	6	7
<i>Ahmedabad</i>						
District and Sessions Judge ...	29	140	329	80	131	178
Joint Judge and Additional Sessions Judge	115	...	...
Assistant Judge and Additional Sessions Judge ...	33	40	...	2	...	...
Extra Assistant Judge and Additional Sessions Judge ...	20	24	...	1	...	...
Assistant Judge and Assistant Sessions Judge ...	12	...	...	...	...	...
First Class Subordinate Judge, Regular	3,797	63	148	2,208
First Class Subordinate Judge, Small Causes	508	...	1	172
Joint First Class Subordinate Judge, Regular	77	101	...
Joint First Class Subordinate Judge, Small Causes	23	8	...
Extra Joint First Class Subordinate Judge, Regular	103	106	...
Extra Joint First Class Subordinate Judge, Small Cause	5	...	...
Joint Second Class Subordinate Judge, Regular	323	406	...
Joint Second Class Subordinate Judge, Small Causes	357	75	...
Second Joint Second Class Subordinate Judge, Regular	326	445	...
Second Joint Second Class Subordinate Judge, Small Causes	26	2	...
Third Joint Second Class Subordinate Judge, Regular	351	490	...
Third Joint Second Class Subordinate Judge, Small Causes	2	2	...
Fourth Joint Second Class Subordinate Judge, Regular	403	415	...
Fourth Joint Second Class Subordinate Judge, Small Causes	5	2	...
Second Class Subordinate Judge, Viramgam, Regular	1,345	433	238	537
Second Class Subordinate Judge, Viramgam, Small Causes	800	206	172	252
Joint Second Class Subordinate Judge, Viramgam, Regular	674	...	...
Joint Second Class Subordinate Judge, Viramgam, Small Causes	422	...	...
Second Class Subordinate Judge, Dholka, Regular	519	303	216	313
Second Class Subordinate Judge, Dholka, Small Causes	1,009	634	375	155
Second Class Subordinate Judge, Dhandhuka, Regular	425	191	234	198
Second Class Subordinate Judge, Dhandhuka, Small Causes	704	470	234	81
Second Class Subordinate Judge, Gogho, Regular	38	23	15	23

FOR THE YEAR 1940

various Courts in each District in the Province of Bombay

Work								Remarks
Total number of Appeals before the Court	Appellate			Execution proceedings disposed of	Order made after investigation, columns 17 and 18 of the Monthly Civil Returns	Number of original suits pending more than a year at the end of the year under report	Number of appeals pending more than a year at the end of the year under report	
	Disposed of	Pending at the end of the year under report	Pending at the end of the preceding year					12	13	14	15
8	9	10	11	12	13	14	15	16
796	112	350	472	250	125	3	56	Columns 8 to 11 do not include Miscellaneous Appeals shown in Statement No. 8.
...	23	...	...	...	...	82	...
...	226	11	10	Two hundred and eleven suits under Special Jurisdiction were filed, 3 were revived, 156 were disposed of and 251 remained pending at the close of the year.
...	85	...	...	4	4	...	...
...	
...	117	82	...	
...	
...	196	44	52	...	
...	15	...	...	...
...	6	50	...	
...	
...	27	134	...	
...	2	...	
...	840	106	175	...	
...	231	...	1	...	
...	277	209	...	
...	
...	21	142	...	
...	
...	405	63	73	...	
...	518	...	...	...
...	
...	
...	380	269	85	...	
...	525	222	...	...
...	168	31	74	...	
...	269	...	2	...	
...	9	...	5	...	

JUDICIAL STATEMENT No. 14

Names of Courts 1	Criminal Work		Civil			
	Cases disposed of by the Sessions Court 2	Appeals disposed of by the Sessions Court 3	Original			
			Total number of suits before the Court 4	Disposed of 5	Pending at the end of the year under report 6	Pending at the end of the preceding year 7
<i>Ahmedabad—contd.</i>						
Second Class Subordinate Judge, Gogho, Small Causes	62	50	12	92
Judge, Small Cause Court, Ahmedabad	5,594	3,373	2,921	2,930
Registrar, Small Cause Court, Ahmedabad	2,805	1,969	836	703
Total ...	94	204	17,985	11,060	6,885	6,932
<i>Ahmednagar</i>						
District and Sessions Judge ...	33	56	1	1	...	...
First Class Subordinate Judge, Appellate Powers	2,372	373	816	1,086
Joint First Class Subordinate Judge, Ahmednagar	263	...	...
Joint Second Class Subordinate Judge, Ahmednagar	651	...	...
Second Joint Second Class Subordinate Judge, Ahmednagar	246	...	...
Third Joint Second Class Subordinate Judge, Ahmednagar	18	...	...
Second Class Subordinate Judge, Sangamner	2,048	1,143	905	608
Second Class Subordinate Judge, Rahuri	814	252	255	376
Joint Second Class Subordinate Judge, Rahuri	306	...	...
Second Class Subordinate Judge, Kopergaon	1,439	615	368	748
Joint Second Class Subordinate Judge, Kopergaon	556	...	...
Second Class Subordinate Judge, Shevgaon	1,135	667	468	455
Second Class Subordinate Judge, Newasa	603	337	356	275
Second Class Subordinate Judge, Parner	782	485	297	342
Second Class Subordinate Judge, Karjat	783	447	336	358
Village Munsiffs	790	738	52	129
Total ...	33	56	10,867	7,008	3,854	4,387
<i>Belgaum</i>						
District and Sessions Judge ...	20	39	18	8	10	9
Assistant Judge and Additional Sessions Judge ...	43	53	...	...	...	...
First Class Subordinate Judge, Appellate Powers, Regular	1,034	116	503	495
First Class Subordinate Judge, Appellate Powers, Small Causes	934	75	174	219
Joint First Class Subordinate Judge, Regular	98	...	...
Joint First Class Subordinate Judge, Small Causes	74	...	...
Joint Second Class Subordinate Judge, Regular	264	...	...
Joint Second Class Subordinate Judge, Small Causes	528	...	...

FOR THE YEAR 1940—contd.

Work								Remarks
Appellate				Execution proceedings disposed of	Order made after investigation, columns 17 and 18 of the Monthly Civil Returns	Number of original suits pending more than a year at the end of the year under report	Number of appeals pending more than a year at the end of the year under report	
Total number of Appeals before the Court	Disposed of	Pending at the end of the year under report	Pending at the end of the preceding year					
8	9	10	11	12	13	14	15	16
...	18	...	2	...	
...	2,777	...	33	...	
...	1,147	
796	446	350	472	7,693	1,222	1,146	56	
748	152	460	289	17	79	...	62	Columns 8 to 11 do not include Miscellaneous Appeals shown in Statement No. 8. Forty-six suits under Special Jurisdiction were filed, 1 was revived, 71 were disposed of and 56 remained pending at the close of the year.
...	106	...	...	465	115	149	...
...	...	...	...	115	58	...	...
...	...	...	...	734	87	...	...
...	...	...	...	295	48	...	...
...	...	...	...	4	...	...	...
...	...	...	...	2,178	188	75	...
...	...	...	...	381	41	32	...
...	...	...	...	461	74	...	...
...	...	...	...	856	93	37	...
...	...	...	...	269	90	...	...
...	...	...	...	1,023	81	4	...
...	...	...	...	604	35	25	...
...	...	...	...	566	63	39	...
...	...	...	...	503	40	46	...
...	...	...	...	676	...	...	...
748	288	460	289	9,137	1,092	407	62	
945	108	506	520	3	44	2	179	Columns 8 to 11 do not include Miscellaneous Appeals shown in Statement No. 8. Ninety-one suits under Special Jurisdiction were filed, 5 were revived, 104 were disposed of, and 120 remained pending at the close of the year.
...	253	...	...	...	...	...	...
...	78	...	...	61	26	138	...
...	...	...	...	47	...	3	...
...	...	...	...	263	77	...	...
...	...	...	...	96	...	...	...
...	...	...	...	325	70	...	...
...	...	...	...	550	...	...	...

JUDICIAL STATEMENT No. 14

Names of Courts 1	Criminal Work		Civil			
	Cases disposed of by the Sessions Court 2	Appeals disposed of by the Sessions Court 3	Original			
			Total number of suits before the Court 4	Disposed of 5	Pending at the end of the year under report 6	Pending at the end of the preceding year 7
<i>Belgaum—contd.</i>						
Additional Joint Second Class Subordinate Judge, Regular	53	...	...
Additional Joint Second Class Subordinate Judge, Small Causes	83	...	...
Second Class Subordinate Judge, Bail-Hongal, Regular	763	483	280	277
Second Class Subordinate Judge, Bail-Hongal, Small Causes	224	188	36	50
Second Class Subordinate Judge, Gokak, Regular	421	218	203	159
Second Class Subordinate Judge, Gokak, Small Causes	212	158	54	40
Second Class Subordinate Judge, Chikodi, Regular	1,095	540	474	507
Second Class Subordinate Judge, Chikodi, Small Causes	624	478	194	100
Joint Second Class Subordinate Judge, Chikodi, Regular	81	...	...
Joint Second Class Subordinate Judge, Chikodi, Small Causes	22	...	...
Second Class Subordinate Judge, Athni, Regular	811	471	340	326
Second Class Subordinate Judge, Athni, Small Causes	281	232	49	79
Second Class Subordinate Judge, Hukeri, Regular	758	192	387	368
Second Class Subordinate Judge, Hukeri, Small Causes	397	224	173	145
Joint Second Class Subordinate Judge, Hukeri, Regular	179	...	...
Joint Second Class Subordinate Judge, Hukeri, Small Causes
Desai of Wantnuri	12	4	8	3
Total ...	63	92	7,584	4,769	2,815	2,777
<i>Bijapur</i>						
District and Sessions Judge ...	44	78	...	...	...	...
First Class Subordinate Judge, Bijapur, Regular	1,044	66	524	475
First Class Subordinate Judge, Bijapur, Small Causes	1,424	1,042	382	403
Joint Second Class Subordinate Judge, Bijapur, Regular	427	...	...
Joint Second Class Subordinate Judge, Bijapur, Small Causes
Extra Joint Second Class Subordinate Judge, Bijapur, Regular	27	...	...
Extra Joint Second Class Subordinate Judge, Bijapur, Small Causes
Second Class Subordinate Judge, Bagalkot, Regular	1,200	781	419	504
Second Class Subordinate Judge, Bagalkot, Small Causes	1,396	1,111	195	367
Second Class Subordinate Judge, Muddebihal, Regular	883	506	378	396
Second Class Subordinate Judge, Muddebihal, Small Causes	505	399	106	102
Village Munsiffs	96	80	16	21
Total ...	44	78	6,458	4,432	2,020	2,368

FOR THE YEAR 1940—contd.

Work								Remarks
Total number of Appeals before the Court	Appellate			Execution proceedings disposed of	Order made after investigation, columns 17 and 18 of the Monthly Civil Returns	Number of original suits pending more than a year at the end of the year under report	Number of appeals pending more than a year at the end of the year under report	
	Disposed of	Pending at the end of the year under report	Pending at the end of the preceding year					12	13	14	15
8	9	10	11	12	13	14	15	16
...	
...	
...	663	91	10	...	
...	55	...	...	...
...	328	52	41	...	
...	153	...	...	...
...	930	81	104	...	
...	664	...	1	...	
...	169	...	...	...
...	
...	922	91	41	...	
...	193	...	...	...
...	262	25	124	...	
...	208	...	12	...	
...	214	12	...	...
...	
...	8	...	2	...	
945	439	506	520	6,124	566	478	179	
297	145	121	121	...	34	...	32	Columns 8 to 11 do not include Miscellaneous Appeals shown in Statement No. 8.
...	167	89	127	...	Twenty-three suits under Special Jurisdiction were filed, 1 was revived, 1 was otherwise received, 34 were disposed of and 28 remained pending at the close of the year.
...	1,123	...	...	...
...	490	105	...	...
...	
...	
...	866	87	32	...	
...	891	...	2	...	
...	1,352	61	89	...	*Inadvertently no suits were shown in last year's statement. Hence the difference of 21 is due to last year's pending suits.
...	215	...	1	...	
...	43	...	...	...
297	145	122	121	1,547	376	251	32	

JUDICIAL STATEMENT No. 14

Names of Courts	Criminal Work						Civil
	Cases disposed of by the Sessions Court	Appeals disposed of by the Sessions Court	Original				
			Total number of suits before the Court	Disposed of	Pending at the end of the year under report	Pending at the end of the preceding year	
1	2	3	4	5	6	7	
<i>Broach and Panch Mahals</i>							
District and Sessions Judge ...	25	65	72	19	32	57	
Assistant Judge and Additional Session Judge ...	43	16	...	21	...	...
First Class Subordinate Judge, Regular ...	...	...	638	109	257	275
First Class Subordinate Judge, Small Causes ...	...	...	1,208	856	350	253
Additional First Class Subordinate Judge, Nadiad, Regular ...	...	...	17	1	9	15
Additional First Class Subordinate Judge, Nadiad, Small Causes ...	...	...	...	...	...	...
Joint Additional First Class Subordinate Judge, Nadiad, Regular ...	...	...	...	7	...	...
Joint Additional First Class Subordinate Judge, Nadiad, Small Causes ...	...	...	...	...	...	...
Joint Second Class Subordinate Judge, Broach, Regular ...	...	...	...	272	...	...
Joint Second Class Subordinate Judge, Broach, Small Causes ...	...	...	...	...	...	...
Second Class Subordinate Judge, Ankleshwar, Regular ...	...	...	589	389	200	266
Second Class Subordinate Judge, Ankleshwar, Small Causes ...	...	...	498	394	104	110
Second Class Subordinate Judge, Jambusar, Regular ...	...	...	417	239	178	181
Second Class Subordinate Judge, Jambusar, Small Causes ...	...	...	610	522	88	116
Second Class Subordinate Judge, Godhra, Regular ...	...	...	745	417	328	365
Second Class Subordinate Judge, Godhra, Small Causes ...	...	...	1,913	1,303	610	602
Second Class Subordinate Judge, Dohad, Regular ...	...	...	872	697	175	440
Second Class Subordinate Judge, Dohad, Small Causes ...	...	...	1,108	933	175	203
Village Munsiffs ...	...	...	1,088	1,017	71	96
Total ...	68	81	2,775	7,198	2,577	2,079	
<i>Dharwar</i>							
District and Sessions Judge ...	18	41	19	6	8	10	
Assistant Judge and Additional Sessions Judge ...	20	9	...	5	...	...
First Class Subordinate Judge, Appellate Powers, Regular ...	...	...	1,296	102	618	683
First Class Subordinate Judge, Appellate Powers, Small Causes ...	...	...	656	262	106	171

FOR THE YEAR 1940—contd.

Work								Remarks
Total number of Appeals before the Court	Appellate			Execution proceedings disposed of	Order made after investigation, columns 17 and 18 of the Monthly Civil Returns	Number of original suits pending more than a year at the end of the year under report	Number of appeals pending more than a year at the end of the year under report	
	Disposed of	Pending at the end of the year under report	Pending at the end of the preceding year					
8	9	10	11	12	13	14	15	16
473	142	225	292	9	32	26	77	Columns 8 to 11 do not include Miscellaneous Appeals shown in Statement No. 8. Twenty-one suits under Special Jurisdiction were filed, 2 were revived, 20 were disposed of and 31 remained pending at the close of the year.
...	106	...	...	1	21	...	...
...	...	...	...	320	64	37	...
...	...	...	...	898	...	1	...
...	...	...	...	2	2	7	...
...	
...	...	...	...	8	3	...	...
...	
...	...	...	...	72	47	...	...
...	...	...	...	1	...	...	...
...	...	...	...	483	60	17	...
...	...	...	...	348	...	...	...
...	...	...	...	394	45	6	...
...	...	...	...	735	...	...	...
...	...	...	...	650	100	48	...
...	...	...	...	1,345	...	...	...
...	...	...	...	1,314	63	19	...
...	...	...	...	939	...	...	...
...	...	...	...	749	...	...	...
473	248	225	292	8,268	437	161	77	
878	176	524	483	...	56	3	170	Columns 8 to 11 do not include Miscellaneous Appeals shown in Statement No. 8. Seventy-eight suits under Special Jurisdiction were filed, 10 were revived, 105 were disposed of and 126 remained pending at the close of the year.
...	142	...	...	2	25	...	...
...	36	...	...	173	341	194	...
...	...	...	...	206	...	3	...

JUDICIAL STATEMENT No. 14

Names of Courts	Criminal Work		Civil			
	Cases disposed of by the Sessions Court	Appeals disposed of by the Sessions Court	Original			
			Total number of suits before the Court	Disposed of	Pending at the end of the year under report	Pending at the end of the preceding year
1	2	3	4	5	6	7
<i>Dharwar—contd.</i>						
Joint First Class Subordinate Judge, Regular	117	...	...
Joint First Class Subordinate Judge, Small Causes	280	...	...
Joint Second Class Subordinate Judge, Dharwar, Regular	300	...	...
Joint Second Class Subordinate Judge, Dharwar, Small Causes	52	...	...
Extra Joint Second Class Subordinate Judge, Dharwar, Regular	159	...	...
Extra Joint Second Class Subordinate Judge, Dharwar, Small Causes	6	...	...
Second Class Subordinate Judge, Hubli, Regular	1,052	273	442	514
Second Class Subordinate Judge, Hubli, Small Causes	712	272	159	124
Joint Second Class Subordinate Judge, Hubli, Regular	337	...	...
Joint Second Class Subordinate Judge, Hubli, Small Causes	281	...	...
Second Class Subordinate Judge, Gadag, Regular	971	507	464	413
Second Class Subordinate Judge, Gadag, Small Causes	751	551	200	235
Second Class Subordinate Judge, Haveri, Regular	1,377	487	543	762
Second Class Subordinate Judge, Haveri, Small Causes	766	242	181	180
Joint Second Class Subordinate Judge, Haveri, Regular	347	...	...
Joint Second Class Subordinate Judge, Haveri, Small Causes	343	...	...
Village Munsiffs	1,280	1,048	232	425
Total ...	38	50	8,880	5,927	2,953	3,517
<i>Kaira</i>						
District and Sessions Judge ...	77	59	33	13	90	6
Assistant Judge and Additional Sessions Judge ...	20	7	...	...	...	...
First Class Subordinate Judge, Appellate Powers, Regular	776	45	362	389
First Class Subordinate Judge, Appellate Powers, Small Causes	2,168	164	449	478

FOR THE YEAR 1940—contd.

Work								Remarks
Appellate				Execution proceedings disposed of	Order made after investigation, columns 17 and 18 of the Monthly Civil Returns	Number of original suits pending more than a year at the end of the year under report	Number of appeals pending more than a year at the end of the year under report	
Total number of Appeals before the Court	Disposed of	Pending at the end of the year under report	Pending at the end of the preceding year					12	13	14	15
8	9	10	11	12	13	14	15	16
...	319	...	...	...
...	108	...	...	...
...	603	...	...	...
...	120	...	...	...
...	53	...	...	...
...	2	...	...	...
...	349	232	92	...	
...	358	...	2	...	
...	402	...	...	...
...	191	...	...	...
...	738	152	90	...	
...	380	...	4	...	
...	765	165	107	...	
...	526	...	...	...
...	47	...	...	...
...	18	...	...	...
...	529	...	10	...	
878	354	524	458	5,808	971	505	170	
405	85	247	232	33	36	4	99	Columns 8 to 11 do not include Miscellaneous Appeals shown in Statement No. 8.
...	50	...	...	...	5	...	...	Twenty-seven suits under Special Jurisdiction were filed, 23 were disposed of and 51 remained pending at the close of the year.
...	2	...	...	12	30	101	...	
...	1,025	...	4	...	

JUDICIAL STATEMENT No. 14

Names of Courts 1	Criminal Work		Civil			
	Cases disposed of by the Sessions Court 2	Appeals disposed of by the Sessions Court 3	Original			
			Total number of suits before the Court 4	Disposed of 5	Pending at the end of the year under report 6	Pending at the end of the preceding year 7
<i>Kaira—contd.</i>						
Joint First Class Subordinate Judge, Appellate Powers, Regular	103	...	...
Joint First Class Subordinate Judge, Appellate Powers, Small Causes	775	...	...
Joint Second Class Subordinate Judge, Nadiad, Regular	241	...	...
Joint Second Class Subordinate Judge, Nadiad, Small Causes	780	...	...
Extra Joint Second Class Subordinate Judge, Nadiad, Regular	25	...	...
Extra Joint Second Class Subordinate Judge, Nadiad, Small Causes
Second Class Subordinate Judge, Umreth, Regular	999	520	377	351
Second Class Subordinate Judge, Umreth, Small Causes	1,611	1,355	250	212
Joint Second Class Subordinate Judge, Umreth, Regular	10	...	...
Joint Second Class Subordinate Judge, Umreth, Small Causes
Second Class Subordinate Judge, Kaira, on deputation at Umreth, Regular	32	...	...
Second Class Subordinate Judge, Kaira, on deputation at Umreth, Small Causes	6	...	...
Second Class Subordinate Judge, Borsad, Regular	793	453	340	325
Second Class Subordinate Judge, Borsad, Small Causes	2,311	1,904	407	344
Second Class Subordinate Judge, Kaira, Regular	483	323	160	133
Second Class Subordinate Judge, Kaira, Small Causes	393	288	155	59
Joint Second Class Subordinate Judge, Nadiad, on deputation at Kaira, Regular
Joint Second Class Subordinate Judge, Nadiad, on deputation at Kaira, Small Causes
Second Class Subordinate Judge, Kapadwanj, Regular	549	344	205	292
Second Class Subordinate Judge, Kapadwanj, Small Causes	618	511	107	88
Total ...	97	66	10,674	7,842	2,832	2,678

JUDICIAL STATEMENT No. 14

Names of Courts	Criminal Work		Civil			
	Cases disposed of by the Sessions Court	Appeals disposed of by the Sessions Court	Original			
			Total number of suits before the Court	Disposed of	Pending at the end of the year under report	Pending at the end of the preceding year
1	2	3	4	5	6	7
<i>Kanara</i>						
District and Sessions Judge ...	12	39	3	1	2	1
First Class Subordinate Judge, Karwar, Regular ...	...	...	427	247	180	214
First Class Subordinate Judge, Karwar, Small Causes ...	...	...	652	507	145	144
Second Class Subordinate Judge, Honavar, Regular ...	...	...	663	447	216	419
Second Class Subordinate Judge, Honavar, Small Causes ...	...	...	411	289	132	77
Second Class Subordinate Judge, Kumta, Regular ...	...	...	471	260	211	161
Second Class Subordinate Judge, Kumta, Small Causes ...	...	...	182	135	47	47
Second Class Subordinate Judge, Sirsi, Regular ...	...	...	441	293	148	221
Second Class Subordinate Judge, Sirsi, Small Causes ...	...	...	295	205	90	50
Total ...	12	39	3,545	2,384	1,161	1,334
<i>East Khandesh</i>						
District and Sessions Judge ...	23	136	8	1	1	3
Assistant Judge and Additional Sessions Judge ...	36	27	...	6	...	...
First Class Subordinate Judge, Jalgaon, Regular ...	...	...	1,082	87	534	493
First Class Subordinate Judge, Jalgaon, Small Causes ...	...	...	2,118	1,327	554	528
Joint First Class Subordinate Judge, Jalgaon, Regular ...	...	...	...	13	...	...
Joint First Class Subordinate Judge, Jalgaon, Small Causes ...	...	...	...	139	...	...
Joint Second Class Subordinate Judge, Jalgaon, Regular ...	...	...	...	448	...	...
Joint Second Class Subordinate Judge, Jalgaon, Small Causes ...	...	...	...	88	...	...

FOR THE YEAR 1940—contd.

Work								Remarks
Total number of Appeals before the Court	Appellate			Execution proceedings disposed of	Order made after investigation, columns 17 and 18 of the monthly Civil Returns	Number of original suits pending more than a year at the end of the year under report	Number of appeals pending more than a year at the end of the year under report	
	Disposed of	Pending at the end of the year under report	Pending at the end of the preceding year					12	13	14	15
8	9	10	11	12	13	14	15	16
267	151	116	151	1	19	...	31	Columns 8 to 11 do not include Miscellaneous Appeals shown in Statement No. 8.
...	...	...	...	422	100	34	...
...	...	...	...	643	...	3	...
...	...	...	...	856	37	65	...
...	...	...	...	263	...	...	...
...	...	...	...	545	22	30	...
...	...	...	...	39	...	1	...
...	...	...	...	574	50	19	...
...	...	...	...	85	...	...	...
267	151	116	151	3,428	228	152	31	Four suits under Special Jurisdiction were filed, 5 were disposed of and 3 remained pending at the close of the year.
657	184	324	311	17	54	...	77	
...	149	...	...	...	9	...	...
...	...	...	...	208	153	112	...
...	...	...	...	1,988	...	7	...
...	...	...	...	...	17	...	...
...	...	...	...	228	...	...	...
...	...	...	...	1,346	87	...	...
...	...	...	...	107	...	...	...

JUDICIAL STATEMENT No. 14

Names of Courts	Criminal Work		Civil			
	Cases disposed of by the Sessions Court	Appeals disposed of by the Sessions Court	Original			
			Total number of suits before the Court	Disposed of	Pending at the end of the year under report	Pending at the end of the preceding year
1	2	3	4	5	6	7
<i>East Khandesh—contd.</i>						
Second Class Subordinate Judge, Bhusawal, Regular	1,628	672	530	613
Second Class Subordinate Judge, Bhusawal, Small Causes	1,907	889	407	450
Joint Second Class Subordinate Judge, Bhusawal, Regular	425	...	...
Joint Second Class Subordinate Judge, Bhusawal, Small Causes	611	...	...
Second Class Subordinate Judge, Chalisgaon, Regular	958	669	289	182
Second Class Subordinate Judge, Chalisgaon, Small Causes	2,035	1,745	190	303
Second Class Subordinate Judge, Yawal, Regular	988	734	254	395
Second Class Subordinate Judge, Yawal, Small Causes	1,950	1,604	346	384
Second Class Subordinate Judge, Erandol, Regular	655	463	192	301
Second Class Subordinate Judge, Erandol, Small Causes	1,299	1,061	238	205
Village Munsiffs	1,202	1,030	172	179
Total ...	59	163	15,830	12,023	3,807	4,128
<i>West Khandesh</i>						
District and Sessions Judge ...	47	155	13	11	2	4
First Class Subordinate Judge, Dhulia, Regular	1,196	246	561	551
First Class Subordinate Judge, Dhulia, Small Causes	4,991	1,950	1,365	1,577
Joint Second Class Subordinate Judge, Dhulia, Regular	285	...	...
Joint Second Class Subordinate Judge, Dhulia, Small Causes	2,676	...	...
Extra Joint Second Class Subordinate Judge, Dhulia, Regular	304	...	...
Extra Joint Second Class Subordinate Judge, Dhulia, Small Causes
Second Class Subordinate Judge, Nandurbar, Regular	1,463	544	737	445
Second Class Subordinate Judge, Nandurbar, Small Causes	2,033	1,330	648	695
Joint Second Class Subordinate Judge, Nandurbar, Regular	182	...	...
Joint Second Class Subordinate Judge, Nandurbar, Small Causes	55	...	...

JUDICIAL STATEMENT No. 14

Names of Courts 1	Criminal Work		Civil			
	Cases disposed of by the Sessions Court 2	Appeals disposed of by the Sessions Court 3	Original			
			Total number of suits before the Court 4	Disposed of 5	Pending at the end of the year under report 6	Pending at the end of the preceding year 7
<i>West Khandesh—contd.</i>						
Second Class Subordinate Judge, Amalner, Regular ...	...	...	1,738	1,151	587	280
Second Class Subordinate Judge, Amalner, Small Causes ...	...	...	1,325	1,043	283	599
Second Class Subordinate Judge, Shirpur, Regular ...	...	...	670	508	162	259
Second Class Subordinate Judge, Shirpur, Small Causes ...	...	...	251	158	103	4
Village Munsiffs ...	...	...	1,468	1,368	100	311
Total ...	47	155	15,159	10,811	4,348	4,725
<i>Kolaba</i>						
District and Sessions Judge ...	8	19	6	2	3	3
Assistant Judge and Additional Sessions Judge ...	11	7	...	1	...	...
Second Class Subordinate Judge, Alibag, Regular ...	...	...	495	313	182	173
Second Class Subordinate Judge, Alibag, Small Causes ...	...	...	244	213	31	20
Second Class Subordinate Judge, Pen, Regular ...	...	...	322	214	108	181
Second Class Subordinate Judge, Pen, Small Causes ...	...	...	298	187	111	76
Second Class Subordinate Judge, Roha, Regular ...	...	...	399	264	135	210
Second Class Subordinate Judge, Roha, Small Causes ...	...	...	420	368	52	62
Second Class Subordinate Judge, Mahad, Regular ...	...	...	519	297	222	167
Second Class Subordinate Judge, Mahad, Small Causes ...	...	...	499	373	126	69
Total ...	19	26	3,302	2,232	970	961

JUDICIAL STATEMENT No. 14

Names of Courts	Criminal Work		Civil			
	Cases disposed of by the Sessions Court	Appeals disposed of by the Sessions Court	Original			
			Total number of suits before the Court	Disposed of	Pending at the end of the year under report	Pending at the end of the preceding year
1	2	3	4	5	6	7
<i>Nasik</i>						
District and Sessions Judge ...	31	110	8	3	5	2
First Class Subordinate Judge, Appellate Powers, Regular	880	168	425	396
First Class Subordinate Judge, Appellate Powers, Small Causes	2,278	251	533	560
Joint Second Class Subordinate Judge, Regular	267	...	...
Joint Second Class Subordinate Judge, Small Causes	1,464	...	...
Additional Joint Second Class Subordinate Judge Regular	29	...	...
Additional Joint Second Class Subordinate Judge Small Causes	30	...	...
Second Class Subordinate Judge, Satana, Regular	484	149	335	210
Second Class Subordinate Judge, Satana, Small Causes	1,015	497	518	262
Second Class Subordinate Judge, Pimpalgaon, Regular	1,006	632	374	319
Second Class Subordinate Judge, Pimpalgaon, Small Causes	954	729	225	246
Second Class Subordinate Judge, Malegaon, Regular	1,153	662	491	421
Second Class Subordinate Judge, Malegaon, Small Causes	994	767	227	172
Second Class Subordinate Judge, Yeola, Regular	630	335	295	252
Second Class Subordinate Judge, Yeola, Small Causes	1,082	815	267	245
Second Class Subordinate Judge, Sinnar, Regular	685	357	329	260
Second Class Subordinate Judge, Sinnar, Small Causes	465	329	126	104
Total ...	31	110	11,644	7,484	4,160	3,439
<i>Poona</i>						
District and Sessions Judge ...	30	183	231	85	32	99
Assistant Judge and Additional Sessions Judge ...	23	5	...	15	...	...
Assistant Judge (under training) ...	4	...	...	92	...	...
Assistant Judge (under training)	6	...	...
First Class Subordinate Judge, Appellate Powers	3,591	220	1,832	1,872
Joint First Class Subordinate Judge, Poona,	131	...	...
Joint Second Class Subordinate Judge, Poona,	462	...	...

FOR THE YEAR 1940—contd.

Work								Remarks
Total number of Appeals before the Court	Appellate			Execution proceedings disposed of	Order made after investigation, columns 17 and 18 of the Monthly Civil Returns	Number of original suits pending more than a year at the end of the year under report	Number of appeals pending more than a year at the end of the year under report	
	Disposed of	Pending at the end of the year under report	Pending at the end of the preceding year					
8	9	10	11	12	13	14	15	16
608	136	299	353	5	57	...	97	Columns 8 to 11 do not include Miscellaneous Appeals shown in Statement No. 8.
...	183	192	90	68	...	Thirty-nine suits under Special Jurisdiction were filed, 33 were disposed of and 42 remained pending at the close of the year.
...	...	...	...	432	...	5	...
...	...	...	...	706	158	...	...
...	...	...	...	1,587	...	...	...
...	...	...	...	...	1	...	...
...	
...	...	...	...	834	41	97	...
...	...	...	...	417	...	42	...
...	...	...	...	1,304	78	6	...
...	...	...	...	799	...	...	...
...	...	...	...	1,019	45	47	...
...	...	...	...	886	...	1	...
...	...	...	...	1,124	132	32	...
...	...	...	...	745	...	6	...
...	...	...	...	810	51	49	...
...	...	...	...	114	...	...	...
608	309	299	363	10,977	692	353	97	
829	335	235	449	60	223	5	22	Columns 8 to 11 do not include Miscellaneous Appeals shown in Statement No. 8.
...	164	...	...	3	10	...	...
...	...	...	...	22	11	...	...
...	
...	105	...	...	347	575	693	...
...	...	...	...	207	...	...	...
...	...	...	...	721	...	...	...

JUDICIAL STATEMENT No. 14

Names of Courts	Criminal Work		Civil			
	Cases disposed of by the Sessions Court	Appeals disposed of by the Sessions Court	Original			
			Total number of suits before the Court	Disposed of	Pending at the end of the year under report	Pending at the end of the preceding year
1	2	3	4	5	6	7
<i>Poona—contd.</i>						
Extra Joint Second Class Subordinate Judge, Poona.	655	...	...
Second Extra Joint Second Class Subordinate Judge, Poona.	286	...	...
Third Extra Joint Second Class Subordinate Judge, Poona.	5	...	...
Second Class Subordinate Judge, Vadgaon.	1,156	548	386	341
Joint Second Class Subordinate Judge, Vadgaon.	223	...	...
Second Class Subordinate Judge, Junnar.	1,285	797	435	598
Joint Second Class Subordinate Judge, Junnar.	53	...	...
Second Class Subordinate Judge, Ghodnadi	873	602	271	442
Do. Saswad	870	561	309	380
Do. Khed	1,985	1,173	813	611
Do. Baramati	1,379	908	471	544
Jahagirdar of Malegaon	44	20	24	19
Agent to Government for Sardars	1	1	...	1
Judge, Small Cause Court, Poona	6,118	4,128	1,990	1,994
Registrar, Small Cause Court, Poona.	4,436	2,783	1,653	1,134
Village Munsiffs	2,464	2,173	291	306
Total ...	57	188	24,433	15,928	8,505	8,341
<i>Ratnagiri.</i>						
District and Sessions Judge ...	18	23	14	7	7	4
Assistant Judge and Assistant Sessions Judge.
First Class Subordinate Judge, Appellate Powers Regular.	280	180	100	123
First Class Subordinate Judge, Appellate Powers Small Causes.	370	221	49	84
Second Class Subordinate Judge, Dapoli, Regular.	563	433	130	213
Second Class Subordinate Judge, Dapoli, Small Causes.	395	358	37	86
Second Class Subordinate Judge, Chiplun, Regular.	1,027	806	221	267
Second Class Subordinate Judge, Chiplun, Small Causes.	284	148	136	2
Second Class Subordinate Judge, Deornkh, Regular.	434	282	152	141
Second Class Subordinate Judge, Deornkh, Small Causes.	590	388	202	183
Second Class Subordinate Judge, Rajapur, Regular.	345	198	147	209
Second Class Subordinate Judge, Rajapur, Small Causes.	515	281	234	146
Second Class Subordinate Judge, Deogad, Regular.	576	205	271	245
Second Class Subordinate Judge, Deogad, Small Causes.	374	259	85	164

FOR THE YEAR 1940—contd.

Work									
Total number of Appeals before the Court	Appellate			Execution disposed of	proceedings	Order made after investigation, columns 17 and 18 of the Monthly Civil Returns	Number of original suits pending more than a year at the end of the year under report	Number of appeals pending more than a year at the end of the year under report	Remarks
	Disposed of	Pending at the end of the year under report	Pending at the end of the preceding year						
8	9	10	11	12	13	14	15	16	
...	790	One hundred and sixty-one suits under Special Jurisdiction were filed, 167 were disposed of and 295 remained pending at the close of the year.
...	146	...	...	...	...
...	
...	1,005	46	63	...	...
...	220	...	...	...	...
...	983	64	97	...	...
...	149	...	...	...	...
...	731	76	18	...	...
...	428	43	16	...	...
...	1,846	76	7	...	...
...	1,285	105	16	...	...
...	41	13	9	...	...
...	1	1	...	...	...
...	5,604	...	7	...	...
...	3,905	...	26	...	...
...	1,383	...	3	...	...
829	594	235	449	19,778	1,243	960	22		
667	233	250	440	3	34	...	67	Columns 8 to 11 do not include Miscellaneous Appeals shown in Statement No. 8.	
...	144	...	...	...	...	...	...	Eleven suits under Special Jurisdiction were filed, 1 was revived, 16 were disposed of and 12 remained pending at the close of the year.
...	20	...	...	374	51	12	...	
...	292	...	...	...
...	454	56	9	...		
...	402	...	...	...
...	854	42	4	...		
...	62	...	...	...
...	737	42	19	...		
...	99	...	...	...
...	478	29	44	...		
...	79	...	5	...		
...	526	35	62	...		
...	90	...	4	...		

JUDICIAL STATEMENT No. 14

Names of Courts 1	Criminal Work		Civil			
	Cases disposed of by the Sessions Court 2	Appeals disposed of by the Sessions Court 3	Original			
			Total number of suits before the Court 4	Disposed of 5	Pending at the end of the year under report 6	Pending at the end of the preceding year 7
<i>Ratnagiri—contd.</i>						
Second Class Subordinate Judge, Malwan, Regular.	827	419	358	348
Second Class Subordinate Judge, Malwan, Small Causes.	182	134	41	33
Joint Second Class Subordinate Judge, Malwan Regular.	50	...	...
Joint Second Class Subordinate Judge, Malwan, Small Causes.	7	...	...
Second Class Subordinate Judge, Rajapur, on deputation at Vengurla, Regular.	648	91	298	260
Second Class Subordinate Judge, Rajapur, on deputation at Vengurla, Small Causes.	137	4	60	12
Second Class Subordinate Judge, Malwan, on deputation at Vengurla, Regular.	155	...	...
Second Class Subordinate Judge, Malwan, on deputation at Vengurla, Small Causes.	27	...	...
Second Class Subordinate Judge, Deogad, on deputation at Vengurla, Regular.	99	...	...
Second Class Subordinate Judge, Deogad, on deputation at Vengurla, Small Causes.	46	...	...
Total ...	18	23	7,556	5,028	2,528	2,519
<i>Satara.</i>						
District and Sessions Judge	30	100	31	1	12	11
Assistant Judge and Additional Sessions Judge.	36	14	...	8	...	...
First Class Subordinate Judge, Appellate Powers.	2,315	481	750	1,003
Joint First Class Subordinate Judge, Satara.	150	...	...
Joint Second Class Subordinate Judge, Satara.	596	...	...
Extra Joint Second Class Subordinate Judge, Satara.	338	...	...
Second Class Subordinate Judge, Wai	1,510	1,008	502	613
Joint Do. Karad	2,000	770	871	865
Second Class Subordinate Judge, Patan	359	...	...
Do. Koregaon	549	300	249	228
Do. Dahiwadi	1,187	670	517	607
Do. Targaon	984	672	312	499
Joint Second Class Subordinate Judge, Vita.	1,054	679	375	421
Second Class Subordinate Judge, Islampur.	962	619	343	445
Village Munsiffs	1,386	814	572	516
Total ...	66	114	13,191	8,479	4,712	5,387

FOR THE YEAR 1940—contd.

Work								Remarks
Appellate				Execution proceedings disposed of	Order made after investigation, columns 17 and 18 of the Monthly Civil Returns	Number of original suits pending more than a year at the end of the year under report	Number of appeals pending more than a year at the end of the year under report	
Total number of Appeals before the Court	Disposed of	Pending at the end of the year under report	Pending at the end of the preceding year					12	13	14	15
8	9	10	11	12	13	14	15	16
...	690	46	110	...	
...	57	...	2	...	
...	
...	
...	156	13	122	...	
...	4	...	6	...	
...	169	6	...	...
...	7	...	...	...
...	145	6	...	...
...	35	...	...	...
637	307	280	440	5,703	360	399	67	
918	148	564	435	...	15	5	172	Columns 8 to 11 do not include Miscellaneous Appeals shown in Statement No. 8.
...	118	...	...	...	22	...	...
...	88	...	...	966	74	166	...	Thirty-five suits under Special Jurisdiction were filed, 44 were disposed of and 41 remained pending at the close of the year.
...	8	5	...	...
...	276	35	...	...
...	374	13	...	...
...	1,388	54	67	...	
...	1,539	122	133	...	
...	
...	548	16	65	...	
...	798	34	155	...	
...	576	38	61	...	
...	718	47	88	...	
...	589	62	84	...	
...	1,050	87	97	...	
...	604	1	11	...	
918	354	564	435	9,284	675	927	172	

JUDICIAL STATEMENT No. 14

Names of Courts 1	Criminal Work		Civil			
	Cases disposed of by the Sessions Court 2	Appeals disposed of by the Sessions Court 3	Original			
			Total number of suits before the Court 4	Disposed of 5	Pending at the end of the year under report 6	Pending at the end of the preceding year 7
<i>Sholapur.</i>						
District and Sessions Judge ...	30	147	6	2	4	3
Assistant Judge and Additional Sessions Judge.	23	9	...	...	...	...
First Class Subordinate Judge, Sholapur.	3,333	703	1,211	1,319
Joint Second Class Subordinate Judge, Sholapur.	883	...	...
Extra Joint Second Class Subordinate Judge, Sholapur.	535	...	...
Second Class Subordinate Judge, Barsi.	1,507	411	482	674
Joint Second Class Subordinate Judge, Barsi.	614	...	...
Second Class Subordinate Judge, Pandharpur.	2,344	1,630	654	692
Second Class Subordinate Judge, Madha.	1,445	1,152	293	521
Village Munsiffs	2,985	2,219	716	1,340
Total ...	53	156	11,569	8,209	3,360	4,449
<i>Surat.</i>						
District and Sessions Judge ...	28	82	63	38	25	18
First Class Subordinate Judge, Surat, Regular.	1,617	359	762	911
First Class Subordinate Judge, Surat, Small Causes.	2,833	...	662	760
Joint First Class Subordinate Judge, Surat, Regular.	75	...	...
Joint First Class Subordinate Judge, Surat, Small Causes.	2,170	...	...
Joint Second Class Subordinate Judge, Surat, Regular.	185	...	...
Joint Second Class Subordinate Judge, Surat, Small Causes.
Extra Joint Second Class Subordinate Judge, Surat, Regular.	236	...	...
Extra Joint Second Class Subordinate Judge, Surat, Small Causes.	1	...	...
Second Class Subordinate Judge, Bulsar, Regular.	883	587	296	335
Second Class Subordinate Judge, Bulsar, Small Causes.	662	544	118	147
Second Class Subordinate Judge, Olpad, Regular.	495	319	176	212
Second Class Subordinate Judge, Olpad, Small Causes.	225	201	94	48
Total ...	28	82	6,778	4,715	2,063	2,481

FOR THE YEAR 1940—*contd.*

Work								Remarks
Total number of Appeals before the Court	Appellate			Execution proceedings disposed of	Order made after investigation, columns 17 and 18 of the Monthly Civil Returns	Number of original suits pending more than a year at the end of the year under report	Number of appeals pending more than a year at the end of the year under report	
	Disposed of	Pending at the end of the year under report	Pending at the end of the preceding year					
8	9	10	11	12	13	14	15	16
733	185	436	319	10	51	2	101	Columns 8 to 11 do not include Miscellaneous Appeals shown in Statement No. 8. Forty-four suits under Special Jurisdiction were filed, 3 were revived, 85 were disposed of and 97 remained pending at the close of the year.
...	162	...	...	...	10	...	...
...	...	...	...	849	163	86	...
...	...	...	...	1,060	185	29	...
...	...	...	...	40	25	67	...
...	...	...	...	981	85	111	...
...	...	...	...	312	44	...	...
...	...	...	...	1,925	137	112	...
...	...	...	...	1,352	103	11	...
...	...	...	...	1,357	...	9	...
733	297	436	319	7,889	803	427	101	
202	129	73	73	5	114	8	6	Columns 8 to 11 do not include Miscellaneous Appeals shown in Statement No. 8. Forty-five suits under Special Jurisdiction were filed, 1 was revived, 2 were otherwise received, 50 were disposed of and 63 remained pending at the close of the year.
...	...	...	...	115	310	276	...
...	...	...	...	...	...	4	...
...	...	...	...	1,126	...	...	...
...	...	...	...	339	...	...	...
...	
...	
...	...	...	...	658	119	3	...
...	...	...	...	735	...	...	...
...	...	...	...	263	43	15	...
...	...	...	...	193	...	...	...
202	129	73	73	3,434	586	306	6	

JUDICIAL STATEMENT No. 14

Names of Courts 1	Criminal Work		Civil			
	Cases disposed of by the Sessions Court 2	Appeals disposed of by the Sessions Court 3	Original			
			Total number of suits before the Court 4	Disposed of 5	Pending at the end of the year under report 6	Pending at the end of the preceding year 7
<i>Thana.</i>						
District and Sessions Judge ...	25	109	31	5	19	15
Assistant Judge and Additional Sessions Judge.	24	20	...	7	...	...
First Class Subordinate Judge, Regular	788	122	379	349
First Class Subordinate Judge, Small Causes.	2,126	231	507	795
Joint Second Class Subordinate Judge, Regular.	257	...	...
Joint Second Class Subordinate Judge, Small Causes.	1,388	...	...
Second Class Subordinate Judge, Kalyan, Regular.	615	328	287	320
Second Class Subordinate Judge, Kalyan, Small Causes.	1,301	1,025	276	304
Second Class Subordinate Judge, Bhiwandi, Regular.	416	275	141	180
Second Class Subordinate Judge, Bhiwandi, Small Causes.	294	230	64	69
Second Class Subordinate Judge, Murbad, Regular.	278	180	98	135
Second Class Subordinate Judge, Murbad, Small Causes.	275	199	77	70
Second Class Subordinate Judge, Andheri, Regular.	889	497	366	402
Second Class Subordinate Judge, Andheri, Small Causes.	1,414	1,096	318	292
Joint Second Class Subordinate Judge, Andheri, Regular.	26	...	...
Joint Second Class Subordinate Judge, Andheri, Small Causes.
Second Class Subordinate Judge, Panvel, Regular.	400	277	123	142
Second Class Subordinate Judge, Panvel, Small Causes.	997	844	153	143
Second Class Subordinate Judge, Dahanu, Regular.	556	293	293	263
Second Class Subordinate Judge, Dahanu, Small Causes.	409	337	72	55
Total ...	49	129	10,820	7,647	3,173	3,594

FOR THE YEAR 1940—contd.

Work								Remarks
Total number of Appeals before the Court	Appellate			Execution proceedings disposed of	Orders made after investigation, columns 17 and 18 of the Monthly Civil Returns	Number of original suits pending more than a year at the end of the year under report	Number of appeals pending more than a year at the end of the year under report	
	Disposed of	Pending at the end of the year under report	Pending at the end of the preceding year					8	9	10	11
385	87	190	219	7	55	7	48	Columns 8 to 11 do not include Miscellaneous Appeals shown in Statement No. 8.
...	108	...	...	...	8	...	...
...	465	172	71	...	Forty-six suits under Special Jurisdiction were filed, 2 were revived 55 were disposed of and 66 remained pending at the close of the year.
...	2,550	...	5	...	
...	4	41	...	...
...	47	...	...	...
...	587	105	88	...	
...	1,086	...	16	...	
...	452	32	15	...	
...	128	...	1	...	
...	491	17	4	...	
...	206	...	...	...
...	541	156	115	...	
...	1,038	...	...	...
...	
...	
...	392	87	5	...	
...	856	...	...	...
...	505	63	70	...	
...	267	...	...	...
385	108	190	219	9,623	716	397	48	

JUDICIAL STATEMENT No. 14

Names of Courts 1	Criminal Work		Civil			
	Cases disposed of by the Sessions Court 2	Appeals disposed of by the Sessions Court 3	Original			
			Total number of suits before the Court 4	Disposed of 5	Pending at the end of the year under report 6	Pending at the end of the preceding year 7
<i>Totals of Districts</i>						
Ahmedabad	94	204	17,935	11,050	6,885	6,932
Ahmednagar	33	56	10,857	7,008	3,854	4,387
Belgaum	63	92	7,584	4,769	2,815	2,777
Bijapur	44	78	6,458	4,438	2,020	2,268*
Broach and Panch Mahals	68	81	9,775	7,198	2,577	2,979
Dharwar	38	50	8,880	5,927	2,953	3,517
Kaira	97	66	10,674	7,842	2,892	2,678
Kanara	12	39	3,545	2,384	1,161	1,334
East Khandesh	59	163	15,830	12,023	3,807	4,138
West Khandesh	47	155	15,159	10,811	4,348	4,725
Kolaba	19	22	3,202	2,232	970	961
Nasik	31	110	11,644	7,484	4,160	3,489
Poona	57	188	24,433	15,928	8,505	8,341
Ratnagiri	18	23	7,556	5,028	2,528	2,519
Satara	66	114	13,191	8,479	4,712	5,387
Sholapur	53	156	11,569	8,209	3,360	4,449
Surat	28	82	6,778	4,715	2,063	2,431
Thana	49	129	10,820	7,647	3,173	3,524
Total	876	1,812	1,95,890	1,33,167	62,723	66,786*
<i>Bombay</i>						
Court of Small Causes ... ..	...	...	27,883	22,575	5,308	5,342

FOR THE YEAR 1940—contd.

Work								
Total number of Appeals before the Court	Appellate			Execution proceedings disposed of	Order made after investigation, columns 17 and 18 of the Monthly Civil Returns	Number of original suits pending more than a year at the end of the year under report	Number of appeals pending more than a year at the end of the year under report	Remarks
	Disposed of	Pending at the end of the year under report	Pending at the end of the preceding year					
8	9	10	11	12	13	14	15	16
796	446	350	472	7,093	1,322	1,146	66	
748	288	460	289	9,137	1,092	407	63	
945	439	606	520	6,124	599	478	179	
267	145	132	121	5,147	376	251	32	Inadvertently no suits of the village Munsiffs-Courts were shown in last year's statement. Hence the difference of 21 is due to last year's pending suits.
473	245	225	292	8,263	437	161	77	
878	354	524	483	5,898	571	505	170	
405	188	247	232	9,285	473	340	99	
267	151	116	151	3,428	228	152	31	
657	333	324	311	21,767	1,123	223	77	
356	174	182	130	17,541	761	187	20	
185	88	97	118	3,058	144	128	36	
608	309	299	353	10,977	692	353	97	
829	594	235	449	19,778	1,243	960	22	
657	397	260	440	5,703	360	399	67	
918	354	564	435	9,254	675	927	172	
733	297	435	319	7,889	803	427	101	
202	129	73	73	3,434	586	306	6	
385	195	190	210	9,623	716	397	48	
10,309	5,099	5,310	5,407	1,64,734	12,541	7,747	1,352	
..	...	...	...	13,699	...	1,109	...	Applications to the Full Court. 347 applications including 29 pending from the previous year came before the Full Court for disposal, of which 322 were disposed of and 25 remained pending at the close of the year.

FOR THE YEAR 1940—contd.

Work		Appellate					Execution proceedings disposed of			Order made after investigation, columns 17 and 18 of the Monthly Civil Returns		Number of original suits pending more than a year at the end of the year under report		Number of appeals pending more than a year at the end of the year under report		Remarks
8	9	10	11	12	13	14	15	16	17	18	19	20				
63	46	17	56	...	...	655	5							
...				
...				
...				
...				
...				
63	46	17	26	...	...	1,667	5							
991	379	613	607	...	...	...	276						
2,330	1,046	1,304	1,305	...	...	...	582						
127	74	63	56	...	...	...	16						
81	47	34	43	...	...	...	15						
8	1	7	1	...	...	...	1						
...									

In addition to these, there were 525 petitions for Probate, Letters of Administration and Succession Certificates.

JUDICIAL STATEMENT No. 14

Names of Courts	Criminal Work		Civil			
	Cases disposed of by the Sessions Court	Appeals disposed of by the Sessions Court	Original			
			Total number of suits before the Court	Disposed of	Pending at the end of the year under report	Pending at the end of the preceding year
1	2	3	4	5	6	7
Brought forward ...	...	...	...	...	...	...
HIGH COURT—contd.						
Appellate Side—contd.						
Criminal Appeals by persons convicted.	...	548	...	...	...	...
Criminal Appeal by a third party ...	...	1	...	...	...	...
Criminal Appeals by Government ...	...	36	...	...	...	...
Do. References under Section 438, Criminal Procedure Code.	182	...	...	...	...	...
Do. Reference under Section 341, Criminal Procedure Code.	1	...	...	...	...	...
Do. References called for on review of Criminal Returns or otherwise.	25	...	...	...	...	...
Do. Applications for revision by accused persons and complainants.	323	...	...	...	...	...
Do. References under Section 307, Criminal Procedure Code.	14	...	...	...	...	...
Confirmation cases under Section 374, Criminal Procedure Code.	31	...	...	...	...	...
Total ...	(a) ...	...	...	...	...	...

(a) Besides these, the following miscellaneous applications were disposed of:—

- 85 Applications for transfer.
- 18 Applications for bail.
- 7 Applications for compensation.
- 9 Applications for maintenance.
- 9 Applications for disposal of property.
- 7 Applications for stay of proceedings.
- 9 Applications for sanction.
- 2 Applications under the Contempt of Courts Act.
- 1 Application for Habeas Corpus.
- 8 Applications of a miscellaneous nature.

His Majesty's High Court of Judicature,
Appellate Side :
Bombay, 10th June 1941.

Description of Offence.	Number of cases disposed of in the year.	Number of				Detained in certified schools.
		Acquitted or discharged.	Discharged after admonition.	Committed to the care of fit persons.		
				Placed under supervision of probation officer.	Without supervision.	
1	2	3	4	5	6	
Offences relating to documents and to trade or property marks Chapter XVIII of the Indian Penal Code.	1	...	1	...	...	...
Criminal intimidation, insult and annoyance Chapter XXII of the Indian Penal Code.	4	3	2	...	...	...
Offences under Special and Local Laws—						
India Acts—						
Criminal Tribes Act VI of 1924 ...	2	...	1	...	...	...
Dangerous Drugs Act II of 1930 ...	1	...	...	1	...	...
Forest Act XVI of 1927 ...	15	2	9	...	...	...
Prevention of Cruelty to Animals Act XI of 1930.	1	...	...	...	...	...
Railways Act IX of 1890 ...	26	1	19	1	5	1
Telegraph Act XIII of 1885 ...	2	...	3	...	...	2
Bombay Acts—						
Abkari Act V of 1878 ...	41	4	24	4	7	3
Children Act XIII of 1924 ...	1	1	...	...	...	...
City of Bombay Municipal Act III of 1888.	5	...	2	...	1	1
City of Bombay Police Act IV of 1902.	97	4	38	14	24	14
District Police Acts VII of 1867 and IV of 1890.	74	1	31	9	...	3
Municipal Boroughs Act XVIII of 1925.	4	...	1	...	...	...
Prevention of Gambling Act IV of 1887.	57	5	39	7	9	5
Prevention of Prostitution Act XI of 1923.	1	...	...	...	...	1
Public conveyances Act VII of 1920.	1	...	...	...	...	...
Salt Act II of 1890 ...	1	...	...	...	...	...
Weights and Measures Act XV of 1932.	1	...	1	...	...	...
Total ...	1,029	87	391	188	167	214

Note 1.—Judicial Statement II prepared for the Annual Administration Report should still included in column 7 as "convicted", the difference in terminology being

Note 2.—The description should be as in column 1 of Judicial Statement II.

Note 3.—Columns 4 to 9 of this Statement are intended to exhibit every method of dealing with the same child to exhibit them both.

Note 4.—Column 10 is intended to show the total number of children, sub-divided according

His Majesty's High Court of Judicature,
Appellate Side :
Bombay, 10th June 1941.

A. (CRIMINAL)—*contd.*

persons-				Total number of children.		Remarks.
Caned.	Fined.		Dealt with in any other manner.	Boys.	Girls.	
	(a) Parent or guardian.	(b) Child.				
7	8	9	10	11		
...	...	...	...	1	...	
...	...	...	...	5	...	
...	...	...	1	2	...	
...	...	...	...	1	...	
2	2	1	...	13	3	
...	...	1	...	1	...	
3	3	...	...	26	7	
...	...	...	...	5	...	
...	2	1	...	44	1	
...	...	...	...	1	...	
...	...	1	...	5	...	
...	3	4	...	99	4	Two Boys absconded.
...	8	23	2	74	3	
...	1	2	...	4	...	
...	2	34	...	101	...	
...	...	...	...	1	...	
...	1	...	...	1	...	
...	1	...	...	...	1	
...	...	...	...	1	...	
18	33	76	26	1,154	54	Six Boys absconded. One Boy sent to Magistrate at Bandra. One Boy sent to Juvenile Court at Sholapur.

include offences by children; children "found to have committed" an offence should still be disregarded for this purpose.

child offenders adopted under the Children Act, and where two methods are adopted as regards to sex, appearing as accused before the Courts.

K. A. ATHALYE,
Assistant Registrar.

Statement showing information regarding offences committed

Description of Offence	Number of cases disposed of in the year.	Number of						
		Acquitted or discharged.	Discharged after admonition.	Committed to the care of fit persons.		Detained in certified schools.		
				Placed under supervision of probation officer.	Without supervision.			
1	2	3	4	5	6			
Offences against the Public Tranquility Chapter VIII of the Indian Penal Code.	3	...	3	...	1	...		
Contempts of the lawful authority of Public Servants Chapter X of the Indian Penal Code.	1	...	1	...	...	...
False evidence and offences against Public Justice Chapter XI of the Indian Penal Code.	51	...	11	2	4	34		
Offences relating to Government Stamps Chapter XII of the Indian Penal Code.	2	...	2	...	...	...
Offences relating to weights and measures, Chapter XIII of the Indian Penal Code.	1	...	...	...	...	1	
Offences affecting the Public Health, safety, convenience, decency and morals Chapter XIV of the Indian Penal Code.	1	...	1	...	...	...
Offences affecting the human body Chapter XVI.	Offences affecting life ...	8	...	3	2	1	1	
	Causing of miscarriage, injuries to unborn children, exposure of infants and the concealment of births.	2	1	...	...	1	...
	Hurt ...	55	18	21	3	9	3	
	Wrongful restraint and wrongful confinement.	1	...	1	...	...	...
	Criminal force and assault ...	22	3	7	...	7	9	
	Kidnapping, forcible abduction, slavery and forced labour.	4	1	...	1	...	...
	Rape ...	1	1	...	...	...	...
	Unnatural Offence ...	2	...	...	...	...	...
	Offences against property Chapter XVII.	Theft ...	461	33	131	127	89	131
		Robbery and dacoity	1	1
Criminal Misappropriation of property.		8	1	3	2	...	2	
Criminal breach of trust ...		13	1	8	1	3	3	
Receiving of stolen property ...		17	1	8	5	4	3	
Cheating ...		8	...	1	3	...	2	
Mischief ...		4	...	4	...	...	...
Criminal trespass ...	28	6	15	6	2	1		

A (CRIMINAL).

OFFENDERS.

by Children in the Province of Bombay in the year 1940.

persons.				Total number of children.		Remarks.
Caned.	Fined.		Dealt with in any other manner.	Boys.	Girls.	
	(a) Parent or guardian.	(b) Child.				
7	8	9	10	11		
...	4	...	
...	1	...	
...	...	1	1	52	3	1 Boy absconded and 1 Boy sent to Magistrate at Bandra.
...	2	...	
...	1	...	
...	1	...	
...	1	6	2	
...	2	
2	...	5	7	66	2	
...	1	...	
3	1	23	...	
...	2	...	...	5	...	1 Boy sent to Juvenile Court at Sholapur.
...	1	...	
2	2	...	
4	8	3	12	517	24	3 Boys absconded.
...	1	...	
...	8	...	
...	16	...	
1	22	...	
...	6	...	
...	4	...	
1	1	30	2	

FORM B (CRIMINAL).

Statement showing the number of cases in which orders were passed under Sections 7, 8 and 15 of the Bombay Children Act XIII of 1924, in the Province of Bombay in the year 1940.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Name of Province.	Number of children.						Total number of children dealt with under the above sections.		Died, discharged or struck off the list.	Remarks.
	Sent to certified Schools under section 7 (4).	Committed to the care of a relative or other fit person named by the Court under section 7 (5).		Under the supervision of a probation officer under section 7 (6).	Sent to certified schools under section 8.	Taken from charge of guardians under section 15.	Boys.	Girls.		
		With surety.	Without surety.							
1	2	3	4	5	6	7	8	9		
Territory subject to the High Court of Bombay.	373	143	464	148	24	920	161	Two methods were adopted in respect of 71 children.

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His Majesty's High Court of Judicature,
Appellate Side :
Bombay, 10th June 1941.

K. A. ATHALYE,
Assistant Registrar.



