

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF LEGAL AFFAIRS

RAJYA SABHA

UNSTARRED QUESTION NO.582
TO BE ANSWERED ON THURSDAY, THE 2ND DECEMBER, 2021

CASES RESOLVED BY THE DEDICATED COMMERCIAL COURTS

582. SHRI MAHESH PODDAR:

Will the Minister of **LAW AND JUSTICE** be pleased to state:

- (a) the resolution time of disputes, cases resolved along with pendency after the opening of dedicated commercial courts in Delhi, Mumbai, Kolkata and Bengaluru, the details thereof;
- (b) whether Government plans to increase the number of such courts in the coming three years, if so, the dedicated budgetary allocation and other details thereof;
- (c) steps Government is taking for making a quicker out of court settlement of commercial disputes; and
- (d) whether Government intends to give some special powers to Trade Bodies like Chamber of Commerce?

ANSWER

**MINISTER OF LAW AND JUSTICE
(SHRIKIREN RIJJU)**

(a)& (b): As per section 3 and proviso thereto of the Commercial Courts Act, 2015, the State Government in consultation with respective High Courts is enabled to constitute such number of commercial courts as it deems necessary. In the cities of Mumbai, Delhi, Bengaluru and Kolkata commercial courts at the District Judge Level have been constituted to adjudicate commercial disputes of specified values of Rs. 3 Lakh and above.

The Act provides that the Commercial Division and Commercial Court shall follow the provision of CPC as amended in trial of the suit so as to improve the efficiency and reduce delays in respect of disposal of such commercial dispute. It is further provided that where no urgent interim relief is contemplated, party have to mandatorily exhaust the remedy of Pre-Institution Mediation and Settlement (PIMS) before filing suit in concerned commercial court. The time period for resolving the case through PIMS is

three months which can be further extended by a period of two months. The status of cases in commercial courts at Mumbai, Delhi, Bengaluru and Kolkata are as under:

S. No.	Commercial Courts at	Disposal of cases	Pending cases
1.	Mumbai	828	2697
2.	Bengaluru	3122	3258
3.	Delhi	63364	23556
4.	Kolkata	455	443

(c) To facilitate out of court settlement and ease the work load of the Courts, the Commercial Courts Act, 2015 provides a mandatory provision of “Pre-Institution Mediation and Settlement” (PIMS) (an Alternative Dispute Resolution Mechanism) in cases which do not contemplate urgent interim relief.

(d) No such proposal is under consideration of the Government.
