

FININ2MIN PROFESSIONAL LAW CORPUS - BATCH 05

Chapter II - Commercial Courts, Appellate Courts and Divisions

Map court level, territorial limits, pecuniary threshold, original-side status and statutory exclusion before filing.

Commercial Courts Act, 2015

Reviewed through 2026-07-18

India-first professional reference

Source control: The official India Code Act PDF, current Rules, Gazette notifications, State/High Court instruments and event-date court orders prevail. This publication is an implementation guide and source map, not a substitute for signed official text or matter-specific legal advice.

Dedicated Finin2min Summary - Chapter in 2 Minutes

- State notification, High Court consultation, court level, pecuniary value and local limits determine the notified Commercial Court.
- Outside High Court original-side territories, State notification may designate Commercial Appellate Courts at District Judge level.
- The Chief Justice of a High Court with ordinary original civil jurisdiction may constitute one or more Commercial Division benches.
- The Chief Justice constitutes Commercial Appellate Division benches after court constitution or Commercial Division order.
- A Commercial Court tries qualifying suits and applications within its notified territory using CPC territorial rules.
- Apply the current State/High Court notification and commercial CPC Schedule, not the Act heading alone.

Section-by-section provision map

Provision / gate	Subject	Status	Finin2min decode	Implementation	Evidence
Section 3	Constitution of Commercial Courts.	Current / mapped	State notification, High Court consultation, court level, pecuniary value and local limits determine the notified Commercial Court.	Capture the current State Gazette and High Court order, court level, local limits, pecuniary threshold, roster and filing route before naming the forum.	State Gazette, High Court order/ roster, local-limits and pecuniary notification, court-fee and e-filing proof.
Section 3A	Designation of Commercial Appellate Courts.	Current / mapped	Outside High Court original-side territories, State notification may designate Commercial Appellate Courts at District Judge level.	Capture the current State Gazette and High Court order, court level, local limits, pecuniary threshold, roster and filing route before naming the forum.	State Gazette, High Court order/ roster, local-limits and pecuniary notification, court-fee and e-filing proof.
Section 4	Constitution of Commercial Division of High Court.	Current / mapped	The Chief Justice of a High Court with ordinary original civil jurisdiction may constitute one or more Commercial Division benches.	Capture the current State Gazette and High Court order, court level, local limits, pecuniary threshold, roster and filing route before naming the forum.	State Gazette, High Court order/ roster, local-limits and pecuniary notification, court-fee and e-filing proof.
Section 5	Constitution of Commercial Appellate Division.	Current / mapped	The Chief Justice constitutes Commercial Appellate Division benches after court constitution or Commercial Division order.	Capture the current State Gazette and High Court order, court level, local limits, pecuniary threshold, roster and filing route before naming the forum.	State Gazette, High Court order/ roster, local-limits and pecuniary notification, court-fee and e-filing proof.
Section 6			A Commercial Court tries	Capture the current State Gazette and	State Gazette, High Court order/

Provision / gate	Subject	Status	Finin2min decode	Implementation	Evidence
	Jurisdiction of Commercial Court.	Current / mapped	qualifying suits and applications within its notified territory using CPC territorial rules.	High Court order, court level, local limits, pecuniary threshold, roster and filing route before naming the forum.	roster, local-limits and pecuniary notification, court-fee and e-filing proof.
Section 7	Jurisdiction of Commercial Divisions of High Courts.	Current / mapped	Qualifying original-side High Court suits and specified statutory IP matters are allocated to the Commercial Division.	Capture the current State Gazette and High Court order, court level, local limits, pecuniary threshold, roster and filing route before naming the forum.	State Gazette, High Court order/ roster, local-limits and pecuniary notification, court-fee and e-filing proof.
Section 8	Bar against revision application or petition against an interlocutory order.	Current / mapped	Civil revision or petition against interlocutory orders is barred; challenges ordinarily await appeal from the decree subject to section 13.	Prepare an appealability and limitation note before challenging any order; separate decree appeal, enumerated interlocutory appeal, arbitration appeal and constitutional remedy.	Impugned order/ decree, appealability table, certified copy, computation of limitation, filing receipt and stay/ security record.
Section 9	Transfer of suit if counterclaim is of Specified Value - omitted.	Current / mapped	Section 9 is omitted from 3 May 2018 and should be retained only in the historical map.	Prepare an appealability and limitation note before challenging any order; separate decree appeal, enumerated interlocutory appeal, arbitration appeal and constitutional remedy.	Official Act, Gazette instrument, High Court practice direction, administrative order, monthly data and review sign-off.
Section 10	Jurisdiction in respect of arbitration matters.	Current / mapped	Commercial arbitration applications and appeals are allocated by international/ domestic character, court	Classify the arbitration as international or domestic, identify the seat/cause of action, original-side status, principal civil court and specified value.	Arbitration agreement, seat/ venue clause, claim and counterclaim values, application type

Provision / gate	Subject	Status	Finin2min decode	Implementation	Evidence
			level, original side and territory.		and territorial/ original-side note.
Section 11	Bar of jurisdiction where civil court jurisdiction is barred.	Current / mapped	The Act does not revive civil jurisdiction expressly or impliedly barred by another statute.	Check express and implied statutory bars, specialist tribunals, arbitration, consumer, insolvency, MSME and public-law routes before civil filing.	Official Act, Gazette instrument, High Court practice direction, administrative order, monthly data and review sign-off.

Finin2min clause-by-clause decode

Section 3 - Constitution of Commercial Courts.

State notification, High Court consultation, court level, pecuniary value and local limits determine the notified Commercial Court.

Status: Current / mapped

Section 3A - Designation of Commercial Appellate Courts.

Outside High Court original-side territories, State notification may designate Commercial Appellate Courts at District Judge level.

Status: Current / mapped

Section 4 - Constitution of Commercial Division of High Court.

The Chief Justice of a High Court with ordinary original civil jurisdiction may constitute one or more Commercial Division benches.

Status: Current / mapped

Section 5 - Constitution of Commercial Appellate Division.

The Chief Justice constitutes Commercial Appellate Division benches after court constitution or Commercial Division order.

Status: Current / mapped

Section 6 - Jurisdiction of Commercial Court.

A Commercial Court tries qualifying suits and applications within its notified territory using CPC territorial rules.

Status: Current / mapped

Section 7 - Jurisdiction of Commercial Divisions of High Courts.

Qualifying original-side High Court suits and specified statutory IP matters are allocated to the Commercial Division.

Status: Current / mapped

Section 8 - Bar against revision application or petition against an interlocutory order.

Civil revision or petition against interlocutory orders is barred; challenges ordinarily await appeal from the decree subject to section 13.

Status: Current / mapped

Section 9 - Transfer of suit if counterclaim is of Specified Value - omitted.

Section 9 is omitted from 3 May 2018 and should be retained only in the historical map.

Status: Current / mapped

Section 10 - Jurisdiction in respect of arbitration matters.

Commercial arbitration applications and appeals are allocated by international/domestic character, court level, original side and territory.

Status: Current / mapped

Section 11 - Bar of jurisdiction where civil court jurisdiction is barred.

The Act does not revive civil jurisdiction expressly or impliedly barred by another statute.

Status: Current / mapped

Finin2min implementation explanation

Opening control

Freeze the transaction, relief, cause of action, limitation, specified value, territorial facts, current notified court, urgent-relief position and arbitration/special-statute interface.

Execution control

Assign legal, finance, records, business and authorised-signatory owners. Use one dated matter file and a court-calendar owner with exception escalation.

Practical examples and calculations

A supplier seeks principal, contractual interest and damages. The team classifies the supply agreement as a commercial dispute, computes interest only to filing for specified value, completes PIMS unless genuine urgent relief exists, and opens a 120-day written-statement and disclosure calendar.

Calculation	Method	Evidence
Specified value	Principal or market/intangible value plus interest computed only up to filing; arbitration uses claim plus counterclaim.	Invoices, contract, interest schedule, valuation and arbitration pleadings.
Interest	State legal/contract basis, rate, from/to dates, total to filing and daily accrual afterwards.	Contract clause, MSMED/statute analysis, ledger and bank records.
Litigation economics	Claim, defence/set-off, court fees, PIMS cost, legal/expert cost, interest, recovery probability and time value.	Approved claim model and settlement authority.

Practical transaction application

1. Classify the transaction and every relief.
2. Compute specified value and limitation using a reproducible working.
3. Identify the currently notified commercial forum and appeal route.
4. Complete PIMS or document genuine urgent interim relief.
5. Preserve pleadings, disclosure, electronic evidence, court calendar and settlement authority.

Authority, consent and execution controls

Authority

- Correct legal entity and counterparty.
- Board, partner, delegated authority or power of attorney.
- Named deponent acquainted with facts.
- Settlement and payment authority matrix.

Execution

- Statement of Truth and verification.
- PIMS application/appearance authority.
- Electronic signature and filing credentials.
- Execution, notarisation and court-specific requirements.

Stamp duty and registration alerts

The Act does not create one national stamp or registration rule for underlying contracts, powers, settlement deeds, property instruments or security documents. Apply the relevant State stamp law, Registration Act, court-fee law and settlement-enforcement route. Do not treat PIMS or court filing as curing an inadequately stamped or unregistered underlying instrument.

Evidence and document-retention checklist

- Executed contract and amendments
- Invoices, delivery and acceptance
- Ledger, bank and tax records
- Demand and settlement offers
- PIMS application and outcome
- Valuation and limitation working
- State/High Court notifications
- Pleadings and Statement of Truth
- Disclosure and adverse-document list
- Email, cloud, metadata and logs
- Admission/denial affidavit
- Case-management and hearing orders
- Costs budget and authority
- Appeal/stay and enforcement file

Performance, delivery and payment controls

Performance

Map milestones, specifications, variation approvals, delivery, inspection, acceptance, defects, cure, termination and mitigation to contemporaneous records.

Payment

Reconcile principal, GST, TDS, retention, credits, debit notes, interest basis, payment appropriation and MSMED exposure before pleading.

Breach, loss, mitigation and remedy framework

Separate breach, causation, remoteness, proof, avoided cost, mitigation, liquidated sum, restitution, interest, specific relief, interim protection, set-off/counterclaim, costs and enforceability. A large invoice or contractual figure is not by itself proof of recoverable loss.

Limitation and forum controls

Limitation

Record accrual, invoice/due date, breach/refusal, acknowledgement, part payment, PIMS exclusion, arbitration commencement, certified-copy time and filing date.

Forum

Verify commercial category, specified value, territory, original side, court level, State notification, statutory bar, arbitration allocation and appealability.

Arbitration and mediation interface

Section 10 allocates qualifying Arbitration Act applications and appeals to the commercial forum. Section 12A PIMS applies to qualifying suits not contemplating urgent interim relief. Contractual mediation, MSMED conciliation, consumer mediation, arbitration and court-annexed settlement must be classified separately rather than blended into one procedure.

Company, partnership, GST and tax overlays

Entity overlay

Check company/LLP/partnership authority, related-party restrictions, insolvency moratorium, assignment, guarantees, insurance and officer admissions.

Finance and tax overlay

Reconcile GST supply/credit notes, TDS, interest accounting, provision/contingent liability, bad-debt/recovery treatment, stamp duty and settlement allocation.

Finin2min Q&A

What is the first question?

Classify the dispute, relief, specified value, urgent-relief requirement and currently notified forum.

What creates the greatest procedural risk?

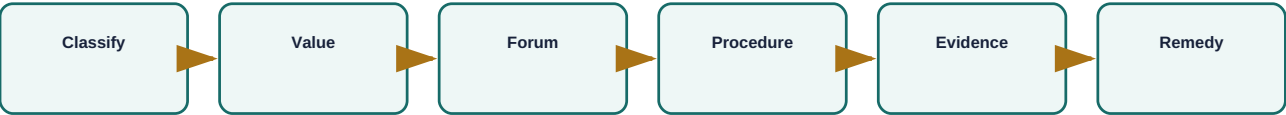
Late written statement, incomplete disclosure, defective Statement of Truth, missed PIMS, wrong forum and non-appealable interlocutory challenges.

What should the professional retain?

A single source-controlled matter file containing current law, notifications, valuation, authority, pleadings, evidence, dates and court outputs.

Chapter-specific decision flowchart

Chapter II - Commercial Courts, Appellate Courts and Divisions - Decision Flow



Verify current Act, Rules, State/High Court notifications, practice directions and event-date law before filing or advising.