

PART D—APPEALS FROM DECREES IN COMMERCIAL
CAUSES

1. "Commercial causes" include causes arising out of the ordinary transactions of merchants, bankers and traders, such as those relating to the construction of merchantile documents, export or import of merchandize, affreightment, carriage of goods by land, insurance banking and merchantile documents, export or import of merchandize, merchantile agency, merchantile usage and infringements of trade marks and passing off actions. Suits on ordinary loans and mortgages are not "Commercial causes".

2. The Chief Justice shall, from time to time, nominate one of the Judges of the Court to hear "Commercial causes".

3. (a) All cases under the Companies Act, 1956 and cases affecting the responsibility of a Railway Administration as carriers, will be treated as "Commercial causes".

(b) The Honourable Judges may, however, mark any other case as a "Commercial cause" either at the request of the parties or *suo mote*, if satisfied that the said case is a "commercial cause" as defined in Rule 1.

4. All appeals, which have been marked as "Commercial causes" by order of a Judge under Rule 3, shall be brought to a hearing as early as may be practicable, and shall, as far as possible, be set down before the Judge appointed from time to time by the Chief Justice to hear "Commercial causes", or before a Bench of which such Judge is a member. Such causes shall be given priority on the day of hearing over all other appeals except part-heard appeals and cases frequently postponed.