



ASSAM ACT VI OF 1935.

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THE BENGAL, AGRA AND ASSAM CIVIL COURTS (ASSAM AMENDMENT) ACT, 1935.

AN

ACT

to amend the Bengal, Agra and Assam Civil Courts Act, 1887, in its application to Assam.

WHEREAS it is expedient to amend the Bengal, Agra and Assam Civil Courts Act, 1887, in its application to Assam in the manner hereinafter appearing; XII of 1887.

It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Bengal, Agra and Assam Civil Courts (Assam Amendment) Act, 1935.

(2) It extends to the whole of Assam.

(3) It shall come into force on such date as the Local Government may, by notification in the local official Gazette, appoint.

Application of Act.

2. The Bengal, Agra and Assam Civil Courts Act, 1887, hereinafter referred to as the said Act, shall, in its application to Assam, be amended in the manner hereinafter provided.

Amendment of section 17.

3. In sub-section (2) of section 17 of the said Act, for the words and figures "in section 623 or section 649 of the Code of Civil Procedure" the words and figures "in sections 36, 37 and 114 of, and rule 1 of Order XLVII in Schedule I to, the Code of Civil Procedure, 1908" shall be substituted.

Amendment of sections 18 and 39.

4. In sections 18 and 39 of the said Act, after the words "Code of Civil Procedure" the figures "1908" shall be inserted.

Amendment of section 19.

5. In sub-section (2) of section 19 of the said Act, for the words beginning with "that his jurisdiction" and ending with "in the notification" the following shall be substituted, namely:—

"(a) that his jurisdiction shall extend to all like suits of such value not exceeding two thousand rupees as may be specified in the notification, or

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(b) that so long as he holds Court at a place where the Court of a Subordinate Judge is held his jurisdiction shall extend to all like suits of such value not exceeding three thousand rupees as may be so specified."

Amendment of section 23. of 6. In sub-section (2) of section 23 of the said Act,—

(1) in clause (d) for the words and figures "the Indian Succession Act, 1865, and the Probate and Administration Act, 1881", the words and figures "the Indian Succession Act, 1925", shall be substituted; and

(2) in clause (e), for the word and figures "section 322C", the words "paragraph 5 of the Third Schedule" shall be substituted and after the words "Code of Civil Procedure" the figures "1908" shall be added.

Amendment of section 25. of 7. In section 25 of the said Act, for the words "five hundred rupees" the words "seven hundred and fifty rupees" and for the words "two hundred and fifty rupees" the words "three hundred rupees" shall be substituted.

Amendment of section 38. of 8. In sub-section (4) of section 38 of the said Act, for the words and figures "section 25 of the Code of Civil Procedure" the words and figures "section 24 of the Code of Civil Procedure, 1908", shall be substituted.