

EXECUTION OF DECREES OF COURTS OF 24-PARGANAS ACT, 1839

ACT NO. XXVII. OF 1839

(Rep., Act 12 of 1891)

[16th December, 1839.]

Passed by the Hon'ble the President of the in Council of India in Council On the 16th December, 1839.

AN Act for authorizing the Court of Requests for the Town of Calcutta to execute decrees passed by the Judge of the Dewanny Adawlut of the Zillah of the 24-Pergunnahs in certain cases.

I. Whereas execution of the decrees of the Courts of Justice of the Zillah of the 24-Pergunnahs is often defeated by the parties against whom the same have been obtained absconding from the limits of the said Zillah into the Town of Calcutta; and whereas by Regulation XVI of 1812 of the Bengal Code, provision is made, where the like inconvenience occurs by parties absconding from the Town of Calcutta into the said Zillah, for the Judge of the said Zillah enforcing the Judgments of the Court of Requests of the Town of Calcutta:

It is hereby enacted that if the defendant in any suit decided by any Court of Justice of the Zillah of the 24-Pergunnahs the plaintiff in which shall have obtained a decree, shall retire before execution of the same into the jurisdiction of the Court of Requests, that Court, upon receiving a written application from the Judge of Dewanny Adawlut of the Zillah of the 24-Pergunnahs, setting forth the above circumstances, and accompanied by a copy of the decree duly authenticated, is hereby authorized and directed to proceed to execute the said decree in the mode prescribed for the execution of judgments obtained in the Court of Requests, and on payment of the like costs as are demanded for the execution of such judgments in ordinary cases. Provided always, that nothing in this Act contained shall be held to authorize the said Court of Requests to execute any decree except the cause of action in respect of which such decree was obtained were such that if it had occurred within the local jurisdiction of the said Court it would have been cognizable by the same.
