

BENGAL.---JUDICIARY

ACT No. IV. OF 1850

(Rep., Act 15 of 1853)

[Passed on the 15th February, 1850.]

Modifies R. 6, 1793, S. 10. R. 12, 1797, S. 3. R. 26, 1814, S. 8.

1. Petitions of Regular Appeal to the Sudder to be presented within six weeks after the decision. What the petition shall contain.

2, 3. Proceedings in the appealed cause to be certified to the Sudder and notice thereof to be given to appellant, who (3) within three months after receipt of notice shall present to the Sudder his grounds of appeal.

For the amendment or Procedure in Cases of Appeal to the Sudder Court.

Whereas inconvenience has resulted from the rule allowing petitions of Appeal to the Sudder Dewanny Adawlut from Judgments of Principal sudder Ameens, or of the Judges of the Zillah or City Courts, to be presented either in the Sudder Court, or in the Court in which the decision was passed, and from the rule allowing the specific objections to the Judgment and detailed grounds and reasons for preferring the Appeal to be, at the option of the party, either stated in the original petition of Appeal, or afterwards filed in the Court trying the Appeal, as a separate pleading. It is enacted as follows, in modification of Section X., Regulation VI., 1793, Section III., Regulation XII., 1797, and Section VIII., Regulation XXVI., 1814, of the Bengal Code.

I. Every petition of Regular Appeal, in a case appealable to the Sudder Court, shall be presented to the Court in which the decision was passed, within six weeks from the day of the decision: such petition of Appeal shall contain only notice that the party, being dissatisfied with the Judgment, is desirous of appealing from it.

II. The Proceedings held in the cause of Appeal shall be certified to the Sudder Dewanny Adawlut as soon as conveniently may be done; and notice thereof in writing shall be given to the Appellant.

III. Within three months after receipt of such notice the Appellant shall present to the Sudder Dewanny Adawlut the specific objections to the detailed reasons for preferring the Appeal; otherwise it shall be dismissed, unless he shall show reasonable cause to the satisfaction of the Sudder Court for his default.
