

Repealed by Act 36 of 1957.

**THE CODE OF CIVIL PROCEDURE (AMENDMENT)**  
**ACT, 1952**

**No. LXXI OF 1952**



[18th December, 1952]

An Act further to amend the Code of Civil Procedure, 1908.

**BE** it enacted by Parliament as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Code of Civil Procedure (Amendment) Act, 1952.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. **Amendment of section 44A, Act V of 1908.**—In section 44A of the Code of Civil Procedure, 1908,—

(a) in sub-section (1), the words “the United Kingdom or” shall be omitted;

(b) for *Explanations* 1 to 3 inclusive, the following *Explanations* shall be substituted, namely :—

“*Explanation 1.*—‘Reciprocating territory’ means any country or territory outside India which the Central Government may, by notification in the Official Gazette, declare to be a reciprocating territory for the purposes of this section; and ‘Superior Courts’ with reference to any such territory, means such courts as may be specified in the said notification.

*Explanation 2.*—‘Decree’ with reference to a superior court means any decree or judgment of such court under which a sum of money is payable, not being a sum payable in respect of taxes or other charges of a like nature or in respect of a fine or other penalty, but shall in no case include an arbitration award, even if such an award is enforceable as a decree or judgment.”

↓ 1-3-1953, by notifi. No. S.R.O. 391, dt. 25-2-53,  
Gazette of India, Ex., 1953, Pt. II, Sec. 3, p-529.

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