

The Court Fees (Uttar Pradesh Sanshodhan) Adhiniyam, 1961

UTTAR PRADESH

India

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Act 4 of 1961

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The Court Fees (Uttar Pradesh Sanshodhan) Adhiniyam, 1961 (U.P. Act No. 4 of 1961) An Act to amend the Court Fees Act, 1870, in its application to Uttar Pradesh Whereas the Court Fees (Uttar Pradesh Sanshodhan) Adhyadesh, 1960 was promulgated by the Governor on November 28, 1960, to amend the Court Fees Act, 1870 in its application to Uttar Pradesh for certain purposes ;And whereas it is expedient and necessary that the said Ordinance, which shall cease to operate at the expiration of six weeks from the reassembly of the Legislature under Article 213 (2) (a) of the Constitution of India, be replaced by an Act of the Legislature ;And whereas it is also expedient to amend further the Court Fees Act, 1870, in its application to Uttar Pradesh, for the purposes hereinafter appearing ;It is hereby enacted in the Twelfth Year of the Republic of India as follows :

1. Short title and extent.

(1) This Act may be called the Court Fees (Uttar Pradesh Sanshodhan) Adhiniyam, 1961. (2) It extends to the whole of Uttar Pradesh.

2. Addition of a new section 37 in Act No. VII of 1870.

- After Section 36 of the Court Fees Act, 1870, as amended from time to time in its application to Uttar Pradesh (hereinafter called the "principal Act"), the following shall be, and be always deemed to have been, added as a new section 37.

3. Validation of certain proceedings.

- All fees levied or collected under the provisions of the principal Act, as it stood prior to its amendment by the Court Fees (Uttar Pradesh Sanshodhan) Adhyadesh, 1960, if levied or collected in accordance with provisions of section 37 shall be deemed to have been validly and lawfully levied

or collected, as the case may be, as if section 37 had been in force on all material dates, anything contained in any judgement, decree or order of any Court to the contrary notwithstanding.

4.

[Amendments incorporated in the Principal Act.]

5. Repeal of U. P. Ordinance No. II of 1960.

- The Court Fees (Uttar Pradesh Sanshodhan) Adhyadesh, 1960, is hereby repealed and the provisions of sections 6 and 24 of the U.P. General Clauses Act, 1904, shall apply, as if it were an enactment repealed and re-enacted by an Uttar Pradesh Act.