

The Suits Valuation (Punjab Amendment) Act, 1942

HARYANA

India

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Act 13 of 1942

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The Suits Valuation (Punjab Amendment) Act, 1942 Punjab Act 13 of 1942 Statement of Objections and Reasons. - "Section 2 and Section 3(a), 3(b) and 3(c)(i) have been inserted in the Amending Bill to rectify certain defects of a purely verbal nature which resulted from the form in which the Punjab Act I of 1938 was drafted. The defects were pointed out by the Secretary to the Governor General (Public). Section 3(c)(i) is a consequential result recommended by the Hon'ble Judges of the proposed amendment of the Court Fees Act, 1870, and the Scheduled thereof designed to implement the recommendation that in a suit for accounts there should be a fixed initial Court fee of Rs. 15 until the final stage of the suit is reached and that thereafter the final decree should not be executed until the difference between the Court fee so paid and the ad valorem fee on the amount involved in the final decree has been paid. It was also considered that the Court should be given power to determine the value of the suit for the purposes of jurisdiction : a rule will be framed under section 9 of the Suits Valuation Act, 1887, giving Courts power to determine the value of the suit for accounts for this purpose and the present amendment makes this decision final. Received the assent of His Excellency the Governor General on the 2nd day of November, 1942, and was first published in the Punjab Government Gazette, dated the 4th December, 1942. An Act further to amend the Suits Valuation Act, 1887, in its application to the Punjab. It is hereby enacted as follows :-

1. Short title.

- This Act may be called the Suits Valuation (Punjab Amendment) Act, 1942.

2. Omission of Section 2 of Punjab Act 1 of 1938.

- Section 2 of the Suits Valuation (Punjab Amendment) Act, 1938, shall be omitted.

3. Amendment of Act VII of 1887.

- The Suits Valuation Act, 1887, shall, in its application to [Punjab] [Substituted for the words 'East Punjab' by the Adaptation of Laws Order, 1950.] be amended as follows :-(a)in Part I the heading "Suits relating to land" shall be deemed to be omitted;(b)in Part II the heading "Other suits" shall be deemed to be omitted;(c)in Part III -(i)the heading "Supplemental provisions" shall be deemed to be omitted; and(ii)in section 11 to sub-section (1), the following proviso shall be deemed to be added, namely : "Provided that in a suit for accounts the value for purposes of jurisdiction as determined by the Court at any stage of the trial shall be final and shall not be liable to be contested in appeal or revision."