

The Bengal, Agra and Assam Civil Courts (Bihar Amendment) Act, 1959

BIHAR

India

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Rule

THE-BENGAL-AGRA-AND-ASSAM-CIVIL-COURTS-BIHAR-AMENDMENT of 1959

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The Bengal, Agra and Assam Civil Courts (Bihar Amendment) Act, 1959(Bihar Act of 1959)Published in the Bihar Gazette, Extraordinary of the 18th of February, 1959, for Statement of Objects and Reasons, see the Bihar Gazette of the 25th November, 1950.An Act to amend The Bengal, Agra and Assam Civil Courts Act, 1887, in its application to the State of Bihar.Be it enacted by the Legislature of the State of Bihar in the Tenth Year of the Republic of India as follows:-

1. Short title, extent and commencement.

(1)This Act may be called the Bengal, Agra and Assam Civil Court (Bihar Amendment) Act, 1959.(2)It extends to the whole of the State of Bihar.(3)It shall come into force at once.

2. Amendment of Section 21 of Act XII of 1887.

- In clause (a) of sub-section (1) of Section 21 of the Bengal, Agra & Assam Civil Courts Act, 1887 (XII of 1887), for the words "did not exceed five thousand rupees", the word "was less than ten thousand rupees" shall be substituted.

3. Retrospective operation.

(1)The provision of Clause (a) of sub-section (1) of Section 21 of the Bengal, Agra and Assam Civil Courts Act, 1887 (XII of 1887) as amended by Section 2 shall apply irrespective of the fact that the suits, proceedings, decrees or orders out of which the appeals, referred to therein arise were

instituted or made prior to the commencement of this Act.(2)Notwithstanding anything to the contrary contained in Article 152 of the First Schedule to the Indian Limitation Act, 1908 (IX of 1908), an appeal from a decree or order made before the commencement of this Act, which, but for the provisions of this Act, would have been preferred before the High Court within ninety days from the date of such decree or order, shall be preferred before the District Judge, within the said period.

4. Saving

- Nothing in this Act shall be deemed to affect any appeal instituted prior to the commencement of this Act.

5. Repeal.

- The Bengal, Agra and Assam Civil Courts (Bihar Amendment) Act, 1958 (Bihar Act XV of 1958), is hereby repealed.