

The Rajasthan Suits Valuation Rules, 1959

RAJASTHAN

India

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Rule THE-RAJASTHAN-SUITS-VALUATION-RULES-1959 of 1959

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The Rajasthan Suits Valuation Rules, 1959 Published vide Notification No. F. 4(3) LJ/B/59, dated 29-10-1959. Published in Rajasthan Gazette Part 4-C, dated 31-12-1959 In exercise of the powers conferred by section 2 of the Rajasthan Suits Valuation Act, 1958 (Act No. 3 of 1959), the State in consultation with the High Court, hereby makes the following rules, namely:-

1. Short title, extent and commencement.

(1) These rules may be called the Rajasthan Suits Valuation Rules, 1959. (2) They extend to the whole of the State of Rajasthan. (3) They shall come into force on the expiration of one month after their publication in the official Gazette.

2. Definitions.

- In these rules, unless the context otherwise requires -(i) "estate" means any land subject to payment of revenue, for which the landlord or tenant or occupier shall have executed a separate engagement in favour of the Government or which, in the absence of such engagement, shall have been separately assessed to revenue; and (ii) "Government" means the Government of Rajasthan.

3. Suits for possession of land buildings and gardens.

- In suits for possession of land mentioned in paragraph (V) of section 7 of the Court Fees Act, 1870 (VII of 1870) of the Central Legislature as adapted to Rajasthan the value of the land for purposes of Jurisdiction shall be deemed to be as follows:-(a) Where the land forms an entire estate or a definite share of an estate paying annual revenue or rent to the Government or forms part of such an estate and is recorded in the revenue records as separately assessed to such revenue or rent - twenty times the revenue or rent so payable; (b) Where the land pays no such revenue or rent or has been partially exempted from such payment, or is charged with any fixed payment in lieu of such revenue or rent - twenty times the revenue or rent of similar land in the neighbourhood; (c) Where the land forms part

of an estate paying revenue or rent to the Government, but is not a share of such estate and is not separately assessed as aforesaid - twenty times the proportionate revenue or rent of the estate;(d)Where there is a building or a garden on the land - the aggregate of the value of the land as determined in accordance with these rules, plus the market value of such building or garden situated thereon.

4. Suits to enforce a Right of preemption.

- In suits to enforce the right of preemption mentioned in paragraph (vi) of section 7 of the Court Fees Act, 1870 (VII of 1870) of the Central Legislature as adapted to Rajasthan, the value of the land for purposes of jurisdiction shall be computed in accordance with rule 3.

5. Suits for specific performance of an award relating to land.

- In suits for specific performance of an award relating to land, mentioned in clause (d) of paragraph (x) of section 7 of the Court Fees Act, 1870 (VII of 1870) of the Central Legislature as adapted to Rajasthan, the value of the land for purposes of jurisdiction shall be computed in accordance with rule 3.

6. Repeal.

- The Rajasthan Suits Valuation Rules, 1955 of the pre - Reorganisation State of Rajasthan made under the Suits Valuation Act, 1887 (Central Act. VII of 1887) as adapted to that State by Rajasthan Ordinance No. IV of 1950, and the corresponding rules in force in the Abu, Ajmer and Sunel areas are repealed.