

The Railway Companies (Substitution Of Parties In Civil Proceedings) Act, 1946

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Act 14 of 1946

- Published on 1 January 1946
- Commenced on 1 January 1946
- [This is the version of this document from 1 January 1946.]
- [Note: The original publication document is not available and this content could not be verified.]

An Act to provide for the substitution of the Governor- General in Council for certain Railway Companies in certain civil proceedings. WHEREAS under certain arrangements made by the Central Government with the Bengal- Nagpur Railway Company, Limited, the Bombay, Baroda and Central India Railway Company, the Bengal and North Western Railway Company, Limited, and the Rohilkhand and Kumaon Railway Company, limited, certain rights and liabilities of the said Companies have been assumed by the Central Government; AND WHEREAS it is expedient to provide for the substitution of the Governor- General in Council in the place and stead of the said Companies in all pending civil proceedings founded on any right of liability so assumed by the Central Government: It is hereby enacted as follows:-

1. Short title.

This Act may be called the Railway Companies (Substitution of Parties in Civil Proceedings) Act, 1946 .

2. Interpretation.

In this Act, " civil proceeding" includes and appeal or execution proceeding.

3. Substitution of Governor- General in Council in certain civil proceedings.

(1) In every civil proceeding pending at the commencement of this Act to which the Bengal- Nagpur Railway Company, Limited, or the Bombay, Baroda and Central India Railway Company, or the Bengal and North Western Railway Company, Limited, or the Rohilkhand and Kumaon Railway Company, Limited, is a party, and which is founded on any right or liability assumed by the

Central Government under certain arrangements made by the Central Government with the said Companies, the Governor- General in Council shall, notwithstanding anything to the contrary in the Code of Civil Procedure, 1908 (5 of 1908), be deemed to be substituted in the place and stead of the Company; and every such proceeding may be continued by or against the Governor- General in Council accordingly, and the Company shall be discharged from all liability in connection with the proceeding.(2)References in sub- section (1) to any Company shall be construed as including references to the liquidators of that Company.