

The Bengal Attached Estates Management Regulation, 1827

UTTAR PRADESH

India

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Act 5 of 1827

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The Bengal Attached Estates Management Regulation, 1827(Bengal Regulation No. 5 of 1827)[Passed by the Governor General on the 27th December, 1827]Short title given by Act V of 1897. This Regulation was declared by the Laws Local Extent Act, 1874 (Act XV of 1874), Section 7, to be in force in the whole of the Province of Agra (then the North-Western Provinces) except as regards the Scheduled Districts. It has been declared by Notification under the Scheduled Districts Act, 1874 (Act XIV of 1874), repealed by the A.L.O, 1937, to be in force in the Scheduled portion of the Mirzapur District and the Jaunsar-Bawar, see Notification Nos. 634 and 638, dated May 30, 1879, in Gazette, 1879, Part I, pp. 774 and 775, respectively. Enforced in the merged States of Rampur by U.P. Act XII of 1950 on 30th December, 1950, and in the States of Banaras and Tehri-Garhwal by Banaras (Application of Laws) Order, 1949 and Tehri Garhwal (Application of Law) Order, 1949 from 30th November, 1949.A Regulation for modifying the Rules at present in force for the management of estates under attachment by orders of Courts of Justice in certain cases.

1. Preamble.

- Whereas it is expedient in all cases of the attachment of landed property under orders of the Courts of Justice that the Management of the estate attached should be placed under the superintendence of the Collectors of land revenue: the following rules have been enacted by the Governor-General in Council to be in force from the date of their promulgation throughout the territories immediately subject to the Presidency of Fort William.

2. Modification of Regulations regarding management of estates under attachment.

- The rules contained in sections 5 and 6, Regulation V, 1799, regarding the administration and

management of estates under orders of the [Zila * * *] [Short title given by Act V of 1897.] Courts, are hereby declared subject to the following modifications.

3. Issue of precept for holding estates under attachment and for appointing managers.

- Whenever the [Zila * * *] [Substituted for 'Board of Revenue and the Board' by U.P. Act XII of 1922, Section 2 and Schedule.] Courts may deem it just and proper under the provisions of the Regulation above mentioned to provide for the administration or management of landed property, the Court shall issue a precept to the Collector of land revenue of the District wherein the estate may be situated, directing him to hold the estate in attachment, and to appoint a person for the due care and management of the estate, under good and adequate security for the faithful discharge of the trust, in a sum proportionate to the extent thereof: Provided, however, that, if any person holding an interest in the estate shall be dissatisfied with the selection made by the Collector of the individual to perform the duty in question, or with the conduct of the manager at any time after his appointment, it shall be competent to such person to represent his objections to the [Commissioner, who] [Substituted for 'Board of Revenue and the Board' by U.P. Act XII of 1922, Section 2 and Schedule.] will either confirm the manager chosen, or order the Collector to appoint another person, as on consideration of the circumstances of the case may appear reasonable and proper.

4. Precept to state property included in attachment.

- The precept of the [Zila * * *] [Substituted for 'Board of Revenue and the Board' by U.P. Act XII of 1922, Section 2 and Schedule.] Court above-mentioned shall state specifically the property to be included in the attachment, and the attachment shall not be withdrawn without a further precept from the Court to that effect.