

The Bengal Attached Estates Management Regulation, 1827

JHARKHAND

India

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Act 5 of 1827

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The Bengal Attached Estates Management Regulation, 1827Bengal Regulation 5 of 1827[Dated 27th December, 1827]A Regulation for modifying the rules at present in force for the management of estates under attachment by orders of the 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] [This includes the present State of Bihar [and Jharkhand]].

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

- The rules contained in Sections 5 and 6, Regulation 5, 1799, [*] [**'and clauses 5 and 6, Section 16, Regulation 3, 1803,' and 'and Sections 26 and 27, Regulation 5, 1812 and clause Third, Section 5 Regulation 6, 1813' repealed by Act 1 of 1903 and 16 of 1874 respectively.] regarding the administration and management of estates under orders of the Zila [] [Words 'and City' repealed by Act 16 of 1874.] 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- Whenever the Zila [**] [Words 'and City' repealed by Act 16 of 1874.] Courts may deem it just and proper, under the provisions of the [Regulation] [Substituted by Act 1 of 1903 for 'several Regulations'.] abovementioned, 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 maybe 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 Board of Revenue, and the Board 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 [**] ['Or City' repealed by Act 16 of 1874.] Court abovementioned 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.