

**THE GAZETTE OF THE DEMOCRATIC  
SOCIALIST REPUBLIC OF  
SRI LANKA**

**Part II of October 01, 2021**

**SUPPLEMENT**

*(Issued on 07.10.2021)*



**CIVIL PROCEDURE CODE (AMENDMENT)**

**A**

**BILL**

**to amend the Civil Procedure Code ( Chapter 101)**

*Ordered to be published by the Minister of Justice*

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*STATEMENT OF LEGAL EFFECT*

*Clause 2* : This clause amends section 88 of the Civil Procedure Code (Chapter 101) and the legal effect of the section as amended is to provide for an appeal to the Provincial High Court with leave obtained first in case of an order setting aside or refusing to set aside the judgment entered upon default.

*Civil Procedure Code (Amendment)*

L.D.—O. 29/2021

AN ACT TO AMEND THE CIVIL PROCEDURE CODE (CHAPTER 101)

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:-

1. This Act may be cited as the Civil Procedure Code (Amendment) Act, No.      of 2021.

5      2. Section 88 of the Civil Procedure Code (Chapter 101) is hereby amended by the repeal of subsection (2) of that section, and the substitution of the following subsection therefor:-

10                      “(2) The order setting aside or refusing to set aside the judgment entered upon default shall accompany the facts upon which it is adjudicated and specify the grounds upon which it is made, and shall be liable to an appeal to the relevant High Court established by Article 154P of the Constitution, with leave first had

15                      and obtained from such High Court.”.

3. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Short title

Amendment  
of section 88  
of Chapter  
101

Sinhala text  
to prevail in  
case of  
inconsistency

