

Indemnity for acts done in good faith.

**486.** No suit, prosecution or other legal proceeding shall lie in respect of anything in good faith done or purported or intended to be done under this Act against any councillor or against any member of the Transport Committee who is not a councillor or against the Commissioner, the Transport Manager or any municipal officer or servant or against any person acting under and in accordance with the directions of the Corporation, any committee constituted under this Act, the Commissioner, the Transport Manager, any municipal officer or servant or of a Magistrate.

Protection of persons acting under this Act against suits.

**487.** (1) No suit shall be instituted against the Corporation or against the Commissioner, or the Transport Manager or against any municipal officer or servant, in respect of any act done or purported to be done in pursuance or execution or intended execution of this Act or in respect of any alleged neglect or default in the execution of this Act:—

(a) until the expiration of one month next after notice in writing has been, in the case of the Corporation, left at the chief municipal office and, in the case of the Commissioner or of the Transport Manager or of a municipal officer or servant delivered to him or left at his office or place of abode, stating with reasonable particularity the cause of action and the name and place of abode of the intending plaintiff and of his attorney, advocate, pleader or agent, if any, for the purpose of such suit, nor

(b) unless it is commenced within six months next after the accrual of the cause of action.

(2) At the trial of any such suit —

(a) the plaintiff shall not be permitted to go into evidence of any cause of action except such as is set forth in the notice delivered or left by him as aforesaid;

(b) the claim, if it be for damages, shall be dismissed if tender of sufficient amends shall have been made before the suit was instituted or if, after the institution of the suit, a sufficient sum of money is paid into Court with cost.

(3) Where the defendant in any such suit is a municipal officer or servant, payment of the sum or of any part of any sum payable by him in, or in consequence of the suit, whether in respect of costs, charges, expenses, compensation for damages or otherwise, may be made, with the previous sanction of the Standing Committee or the Transport Committee from the Municipal Fund or the Transport Fund, as the case may be.

Savings in respect of certain provisions of Bombay Land Revenue Code, 1879.

**488.** Notwithstanding the provisions of section 48, 65, 66 and 67 of the Bombay Land Revenue Code, 1879—

Bom. V of 1879.

(1) the use of any land for any purpose to which it may lawfully be put under the provisions of this Act shall not be prohibited in exercise of the powers conferred by or under the said Code;

(2) it shall be sufficient for any occupant of land assessed or held for the purpose of agriculture to show to the satisfaction of the Collector that he has complied with all the requirements of this Act and of the rules, regulations and by-laws to entitle such occupant to permission under section 65 of the said Code subject to the condition of the payment of altered assessment and fine, if any, for the use of his holding or part thereof for any purpose unconnected with agriculture.

Limitation of liability of agent or trustee or owner.

**489.** (1) No person who receives the rent of any premises in any capacity described in paragraph (i), (ii) or (iii) of sub-clause (a) of clause (45) of section 2 shall be liable to do anything which is by this Act required to be done by the owner, unless he has or, but for his own improper act or default, might have had sufficient funds of or due to the owner to pay for the same.