

# Judicial (1895) Department.

ORDINARY MS.

G.O., No. 1562

Dated 25<sup>th</sup> July 1895

INDEXED.

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[Despatch Abstract.]

BILLS---LEGISLATIVE.

Directing that the Bill to amend sections 632 and 652 of the Code of Civil Procedure with statement of objects and reasons be published in the Fort St. George Gazette and that the date of publication be reported by the Superintendent, Government Press.

# BACK PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|------|-----|-------------|-------|
|      |     |             |       |      |     |             |       |

# FURTHER PAPERS.

| G.O. | No.  | Department. | Date. | G.O. | No. | Department. | Date. |
|------|------|-------------|-------|------|-----|-------------|-------|
|      | 3721 |             | 95    |      |     |             |       |
|      |      | k896-97     | 98-95 |      |     |             |       |

## A BILL TO

*Amend sections 632 and 652 of the Code of Civil Procedure.*

WHEREAS it is expedient to amend sections 632 and 652 of the Code of Civil Procedure ; XIV of 1882. It is hereby enacted as follows :—

1. In section 632 of the said Code, after the word "chapter" the words "and figures" and in section 652 "shall be added."

2. To section 652 of the said Code the following shall be added, namely :—

"Notwithstanding anything in this Code contained, any High Court established under the said Act for establishing High Courts of Judicature in India may make such rules consistent with the Letters Patent establishing it to regulate its own procedure in the exercise of its original civil jurisdiction, as it shall think fit.

"All such rules shall be published in the local official Gazette, and shall thereupon have the force of law."

GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT.

A  
BILL  
TO

Amend sections 632 and 652 of the Code  
of Civil Procedure.

CHIEF SECRETARY  
18 JUL 1895  
GOVERNMENT OF MADRAS

(Sir Alexander Miller.)

STATEMENT OF OBJECTS AND REASONS.

SECTION 652 of the Code of Civil Procedure, as it now stands, purports to require that any rules to regulate its own procedure made by a High Court, even although it be established by Royal Charter, shall be consistent with that Code. The Letters Patent of the High Courts at Fort William, Madras and Bombay, appear, however, to recognise the practical expediency of leaving such High Courts some latitude in the direction of adapting the provisions of the ordinary law to meet their requirements. It has been found by experience that those provisions are not in all respects convenient in the case of original proceedings in those Courts, and the object of this Bill is, by an amendment of section 652 and an ancillary amendment of section 632, to bring the Code into perfect harmony with the provisions of those Letters Patent and to enable the High Courts referred to to regulate the exercise of their original civil jurisdiction accordingly.

ALEX. EDW. MILLER.

The 9th July, 1895.

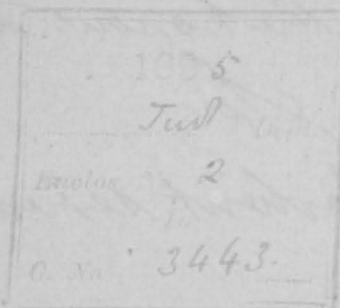
GOVERNMENT OF INDIA,  
LEGISLATIVE DEPARTMENT.

ANNEXURE

TO

Bill to amend sections 632 and 652 of the  
Code of Civil Procedure.

(Statement of Objects and Reasons.)



No. 1261

From

CURRENT NO. 3443

J. M. Macpherson, Esquire,  
Offg. Secretary to the Government of India,  
Legislative Department.

To  
The Chief Secretary to the Government of Madras  
Dated Simla, the 12 July, 1895.

39 copies sent  
by post to Madras

Sir,

I am directed to forward herewith  
forty copies of the papers noted on the  
margin, and to request that they may  
be published in the Fort St. George's  
Gazette in English and in such other  
languages as the Governor in Council may  
deem proper, and that the dates of publication  
of both may be communicated to this  
Department.

I have the honour to be,  
Sir,

Your obedient servant,

J. M. Macpherson  
Offg. Secretary to the Government of India.

Judicial Department.  
CURRENT NO. 3443.

Go 199 R: 202 957  
10352 62 95 } similar

Go 199 R: 20 Feb 95  
352 195 m  
708 1/2 Gazette subptt.

From,  
The Govt of India  
Legislative Dept.

Published in Gazette of India  
11th July 1895 m  
published in our paper

No. 1261.

Dated 12th }  
Recd 18th } July 1895  
Refd 19th }

Encs: 2 + 39 Encs of each of the Encs.

Seibreich

Forwarding 40 copies of a bill to  
amend Sections 632 & 652 of the  
Code of civil Procedure with statement  
of objects and reasons, for publication  
in the Fort St George Gazette

CA

Order  
mis d/ 25 July 1895 No 1562.

The bill and statement of objects  
& reasons will be published in the Fort St.  
George Gazette in English. The Supt. of  
the Govt Press will report the date of  
publication 22/7/95  
24/7/95

I submit there is no necessity  
to publish such a bill as this in  
any other language  
As I don't think so

Supt. Govt Press. P.H. 23/7/95  
with encls. 10/7/95  
M.S. 27/7/95

Note for order

Perhaps the bill & state. of O+R may also be  
published in Tamil? A copy of the bill will also be  
placed on the table of the Spl. Secy Officer.  
Done.

MR 207  
us 20/7

W 0

When given for copying \_\_\_\_\_  
When copied \_\_\_\_\_  
When examined \_\_\_\_\_  
When signed \_\_\_\_\_

189

READ AGAIN G.O., No. \_\_\_\_\_  
189

CURRENT No.

ANGLO-URDU TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH  
IN ORIGINAL.

N.B.—  
A = Copy in full.  
B = Not to be copied.  
P = Copy abstract only.  
Q = Copy heading only.

A  
BILL  
TO

*Amend sections 632 and 652 of the Code of Civil Procedure.*

WHEREAS it is expedient to amend sections 632 and 652 of the Code of Civil Procedure; and  
It is hereby enacted as follows:—

1. In section 632 of the said Code, after the word "chapter" the words and figures "and in section 652" shall be added.

2. To section 652 of the said Code the following shall be added, namely:—

"Notwithstanding anything in this Code contained, any High Court established under the said Act for establishing High Courts of Judicature in India may make such rules consistent with the Letters Patent establishing it to regulate its own procedure in the exercise of its original civil jurisdiction, as it shall think fit.

"All such rules shall be published in the local official Gazette, and shall thereupon have the force of law."

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GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT.

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A  
BILL  
TO  
Amend sections 632 and 652 of the Code  
of Civil Procedure.

ENT.

A  
BILL  
TO

*Amend sections 632 and 652 of the Code of Civil  
Procedure.*

WHEREAS it is expedient to amend sections  
632 and 652 of the Code of Civil Procedure; XIV of 1882.  
It is hereby enacted as follows:—

1. In section 632 of the said Code, after the  
word "chapter" the words  
and figures "and in section  
652" shall be added.

2. To section 652 of the  
said Code the following shall  
be added, namely:—

"Notwithstanding anything in this Code con-  
tained, any High Court established under the  
said Act for establishing High Courts of Judi-  
cature in India may make such rules consistent  
with the Letters Patent establishing it to regu-  
late its own procedure in the exercise of its  
original civil jurisdiction; as it shall think fit.

"All such rules shall be published in the  
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the force of law."

5-8-03

GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT.

A  
BILL  
TO

Amend sections 632 and 652 of the Code  
of Civil Procedure.

(Sir Alexander Miller.)

MENT.  
A  
BILL  
TO

Amend sections 632 and 652 of the Code of Civil  
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the force of law."

GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT.

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A  
BILL

TO

Amend sections 632 and 652 of the Code  
of Civil Procedure.

(*Sir Alexander Miller.*)

STATEMENT OF OBJECTS AND REASONS.

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SECTION 652 of the Code of Civil Procedure, as it now stands, purports to require that any rules to regulate its own procedure made by a High Court, even although it be established by Royal Charter, shall be consistent with that Code. The Letters Patent of the High Courts at Fort William, Madras and Bombay, appear, however, to recognise the practical expediency of leaving such High Courts some latitude in the direction of adapting the provisions of the ordinary law to meet their requirements. It has been found by experience that those provisions are not in all respects convenient in the case of original proceedings in those Courts, and the object of this Bill is, by an amendment of section 652 and an ancillary amendment of section 632, to bring the Code into perfect harmony with the provisions of those Letters Patent and to enable the High Courts referred to to regulate the exercise of their original civil jurisdiction accordingly.

*The 9th July, 1895.*

ALEX. EDW. MILLER.

GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT.

ANNEXURE

TO

Bill to amend sections 632 and 652 of the  
Code of Civil Procedure.

(Statement of Objects and Reasons.)

[ G. ]  
40

DEPARTMENT.

STATEMENT OF OBJECTS AND REASONS.

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The 9th July, 1895.

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ANNEXURE

TO

Bill to amend sections 632 and 652 of the  
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*(Statement of Objects and Reasons.)*

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*The 9th July, 1895.*

ALEX. EDW. MILLER.

GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT.

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ANNEXURE

TO

Bill to amend sections 632 and 652 of the  
Code of Civil Procedure.

*Inst. for 1562 sub  
25-7-95*

*(Statement of Objects and Reasons.)*