Remove Watermark Wondershare PDFelement

The Presidency Small Cause Courts (Gujarat Amendment) Act, 1968

Act 5 of 1969

Keyword(s):
Presidency, Small Cause Court

Amendments appended: 28 of 1973, 17 of 2002, 19 of 2015

Wondershare PDFelement

DISCLAIMER: This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.

Remove Watermark Wondershare PDFelement

Extra No. 5 REGISTERED No. G-448

The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. X] WEDNESDAY, APRIL 9, 1969/CAITRA 19, 1891

Separate paging is given to this part in order that it may be filed as a separate compilation

PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature having been assented to by the President on the 2nd April 1969 is hereby published for general information.

SUMANT M. VIDYARTHI,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 5 OF 1969.

(First published, after having received the assent of the President in the "*Gujarat Government Gazette*" on the 9th April 1969.)

AN ACT

further to amend the Presidency Small Cause Courts Act, 1882, in its application to the State of Gujarat.

It is hereby enacted in the Nineteenth Year of the Republic of India as follows:—

1. (*1*) This Act may be called the Presidency Small Cause Courts (Gujarat Amendment) Act, 1968. Short title and commencement.

(*2*) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

2. In section 18 of the Presidency Small Cause Courts Act, 1882 (hereinafter referred to as "the principal Act") for the words "two thousand rupees" wherever they occur, the words "three thousand rupees" shall be substituted. Amendment of section 18 of Act XV of 1882.

XV of 1882.

Remove Watermark Wondershare PDFelement

Amendment of section 20 of Act XV of 1882.

3. In section 20 of the principal Act, for the words "two thousand rupees" wherever they occur, the words "three thousand rupees" shall be substituted.

Amendment of section 22 of Act XV of 1882.

4. In section 22 of the principal Act, in clause (*b*), for the words "two thousand rupees" the words "three thousand rupees" shall be substituted.

Amendment of section 41 of Act XV of 1882.

5. In section 41 of the principal Act, for the words "two thousand rupees" the words "three thousand rupees" shall be substituted.

Amendment of Third Schedule to Act XV of 1882.

6. In the Third Schedule to the principal Act, for Part E, the following shall be substituted, namely:—

"E

(*See* section 66)

In the Small Cause Court for

SCALE OF FEES TO BE LEVIED IN DISTRAINTS FOR HOUSE RENT

Sums sued for	Affidavit and warrant to distrain	Order to sell	Commission	Total
Rs.	Rs.	Rs. paise	Rs. paise	Rs. paise	Rs. paise
1 and under 5	5	0.25	0.50	0.50	1.25
5 „ 10	10	0.50	0.50	1.00	2.00
10 „ 15	15	0.50	0.50	1.50	2.50
15 „ 20	20	0.50	1.00	2.00	3.50
20 „ 25	25	0.75	1.00	2.50	4.25
25 „ 30	30	1.00	1.00	3.00	5.00
30 „ 35	35	1.00	1.00	3.50	5.50
35 „ 40	40	1.00	1.50	4.00	6.50
40 „ 45	45	1.25	2.00	4.50	7.75
45 „ 50	50	1.50	2.00	5.00	8.50
50 „ 60	60	2.00	2.00	6.00	10.00
60 „ 80	80	2.50	2.50	6.50	11.50
80 „ 100	100	3.00	3.00	7.00	13.00
Upwards of	100	3.00	3.00	7 per centum	

Remove Watermark Wondershare PDFelement

The above scale includes all expenses, except in suits where the tenant disputes the landlord's claim, and witnesses have to be sub-poenaed, in which case each sub-poena for sums under Rs. 40 must be paid for at twenty five paise each, and seventy five paise above that amount; and also where peons are kept in charge of property distrained, such fee not exceeding seventy five paise per day as may be fixed by the Registrar of the Small Cause Court must be paid per man.".

Substitution of Fourth Schedule by a new one in Act XV of 1882.

7. For the Fourth Schedule to the principal Act, the following shall be substituted, namely: —

"THE FOURTH SCHEDULE

(*See* section 72)

FEES FOR SUMMONSES AND OTHER PROCESSES.

When the amount or value of the subject matter exceeds	But does not exceed	Fee for summonses	Fee for other processes
Rs.	Rs.	Rs. paise	Rs. paise
0	10	0.15	0.15
10	20	0.25	0.25
20	50	0.50	0.50
50	100	1.00	1.00
100	200	1.25	2.00
200	300	1.50	3.00
300	400	1.75	4.00
400	500	2.00	5.00
500	600	2.25	6.00
600	700	2.50	7.00
700	800	2.75	8.00
800	900	3.00	9.00
900	1,000	3.25	10.00
1,000	1,100	3.40	10.50
1,100	1,200	3.50	11.00
1,200	1,300	3.65	11.50
1,300	1,400	3.75	12.00
1,400	1,500	3.90	12.50
1,500	1,600	4.00	13.00
1,600	1,700	4.15	13.50
1,700	1,800	4.25	14.00
1,800	1,900	4.40	14.50
1,900	2,000	4.50	15.00
2,000	2,100	4.65	15.50
2,100	2,200	4.75	16.00
2,200	2,300	4.90	16.50

Remove Watermark Wondershare PDFelement

When the amount or value of the subject matter exceeds	But does not exceed	Fee for summonses	Fee for other processes
Rs.	Rs.	Rs. paise	Rs. paise
2,300	2,400	5.00	17.00
2,400	2,500	5.15	17.50
2,500	2,600	5.25	18.00
2,600	2,700	5.40	18.50
2,700	2,800	5.50	19.00
2,800	2,900	5.65	19.50
2,900	3,000	5.75	20.00"

PRINTED AT THE GOVERNMENT CENTRAL PRESS, AHMEDABAD.

Remove Watermark Wondershare PDFelement

Extra No. 34 REGISTERED No. G-448

©

सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XIV] WEDNESDAY, NOVEMBER 28, 1973/AGRAHAYANA 7, 1895

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV

Acts of the Gujarat Legislature and Ordinance promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature having been assented to by the Governor on the 27th November 1973 is hereby published for general information.

S. S. SHAH,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 28 OF 1973

(First published after having received the assent of the Governor in the *Gujarat Government Gazette* on the 28th November 1973).

An Act further to amend the Presidency Small Cause Courts Act, 1882 in its application to the City of Ahmedabad.

It is hereby enacted in the Twenty-Fourth Year of the Republic of India as follows:—

1. This Act may be called the Presidency Small Cause Courts (Gujarat Amendment) Act, 1973. Short title.

2. In the Presidency Small Cause Courts Act, 1882 in its application to the City of Ahmedabad (hereinafter referred to as "the principal Act"), section 7 shall be renumbered as sub-section (*1*) of that section and after sub-section (*1*) as so renumbered, the following sub-sections and Explanation shall be added, namely :— Amendment of section 7 of Act XV of 1882.

XV of 1882.

Remove Watermark Wondershare PDFelement

"(2) The Chief Judge of the Court of Small Causes of Ahmedabad shall be appointed by the State Government in consultation with the High Court either by promotion of a person in the judicial service of the State Government or by appointment from amongst persons eligible to be appointed as such Judge in accordance with the provisions of clause (2) of article 233 of the Constitution.

(3) The appointment of other Judges of the Court of Small Causes of Ahmedabad shall be made either by the State Government from amongst persons not in the judicial service of the State, in accordance with the provisions of article 234 of the Constitution, or by the High Court by promotion of a person in such service:

Provided that the appointments by the State Government and by the High Court shall be made in such proportion as may be determined by rules made by the State Government in consultation with the High Court.

Explanation.— In this section the expression "Judicial service of the State" shall have the same meaning as given to that expression in article 236 of the Constitution.".

Amendment of section 8A of Act XV of 1882.

3. In sub-sections (1) and (2) of section 8A of the principal Act, for the words "the State Government" the words "the State Government in consultation with the High Court" shall be substituted.

PRINTED AT THE GOVERNMENT CENTRAL PRESS, GANDHINAGAR.

Remove Watermark Wondershare PDFelement

Extra No. 17 REGISTERED NO. G/GNR/2

©

सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

VOL XLIII] WEDNESDAY, JUNE 5, 2002 /JYAISTHA 15, 1924

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART - IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the President on the 24th May, 2002 is hereby published for general information.

V. M. KOTHARE,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 17 OF 2002.

(First published, after having received the assent of the President in the "*Gujarat Government Gazette*", on the 5th June, 2002).

AN ACT

further to amend the Presidency Small Cause Courts Act, 1882 in its application to the City of Ahmedabad, for the purposes hereafter appearing.

It is hereby enacted in the Fifty-third Year of the Republic of India as follows :-

Short title and commencement.

1. (1) This Act may be called the Presidency Small Cause Courts (Gujarat Amendment) Act, 2002.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Amendment of section 18 of XV of 1882.

XV of 1882.

2. In the Presidency Small Cause Courts Act, 1882, in its application to the City of Ahmedabad (hereinafter referred to as "the principal Act"), in section 18, for the words "five thousand rupees" wherever they occur, the words "two lacs rupees" shall be substituted.

Remove Watermark Wondershare PDFelement

Amendment of section 20 of XV of 1882.

3. In the principal Act, in section 20, for the words "five thousand rupees" wherever they occur, the words "two lacs rupees" shall be substituted.

Amendment of section 22 of XV of 1882.

4. In the principal Act, in section 22, in clause (b), for the words "five thousand rupees", the words "two lacs rupees" shall be substituted.

Amendment of section 41 of XV of 1882.

5. In the principal Act, in section 41, for the words "five thousand rupees", the words "two lacs rupees" shall be substituted.

Substitution of section 71 of XV of 1882.

6. In the principal Act, for section 71, the following section shall be substituted, namely : -

Court fees.

"71. The Court fees leviable in suits, appeals and applications under this Act shall be the same as are leviable under Chapter III of the Bombay Court-fees Act, 1959 and the provisions of that Act shall, *mutatis mudandis*, apply to the recovery of such court-fees.". **Bom. XXXVI of 1959.**

Substitution of section 72 of XV of 1882.

7. In the principal Act, for section 72, the following section shall be substituted, namely:-

Process fees.

"72. Save as otherwise provided by or under any provision of this Act, the fees chargeable for serving and executing any processes issued by the Small Cause Court, Ahmedabad shall be the same as are prescribed by the High Court of Gujarat under section 32 of the Bombay Court-fees Act, 1959.". **BomXXXVI of 1959.**

Transfer of pending cases.

8. All suits and applications of a civil nature wherein the subject matter exceeds in amount or value five thousand rupees but does not exceed two lacs rupees pending in the Courts of City Civil, Ahmedabad immediately before the commencement of the Presidency Small Cause Courts (Gujarat Amendment) Act, 2002 shall after such commencement, stand transferred to, and be disposed of by the Judge, Court of Small Cause, Ahmedabad within the local limit of his ordinary jurisdiction. **Guj. 17 of 2002.**

GOVERNMENT CENTRAL PRESS, GANDHINAGAR

Remove Watermark Wondershare PDFelement

Extra No. 19 વાર્ષિક લવાજમનો દર રૂા. ૩૫૦૦/-

©

सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. LVI] THURSDAY, JUNE 18, 2015/JYAISTHA 28, 1937

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the President on the 9th June, 2015, is hereby published for general information.

C. J. GOTHI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 19 OF 2015.

(First published, after having received the assent of the President, in the *"Gujarat Government Gazette"*, on the 18th June, 2015).

AN ACT

further to amend the Presidency Small Cause Courts Act, 1882 in its application to the City of Ahmedabad, for the purposes hereafter appearing.

It is hereby enacted in the Sixty-sixth Year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Presidency Small Cause Courts (Gujarat Amendment) Act, 2015.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Remove Watermark Wondershare PDFelement

Amendment of section 18 of XV of 1882.

2. In the Presidency Small Cause Courts Act, 1882, in its application to the City of Ahmedabad (hereinafter referred to as "the principal Act"), in section 18, for the words "two lacs rupees" wherever they occur, the words “ten lacs rupees” shall be substituted. **XV of 1882.**

Amendment of section 20 of XV of 1882.

3. In the principal Act, in section 20, for the words “two lacs rupees” wherever they occur, the words "ten lacs rupees" shall be substituted.

Amendment of section 22 of XV of 1882.

4. In the principal Act, in section 22, in clause (b), for the words “two lacs rupees”, the words “ten lacs rupees” shall be substituted.

Amendment of section 41 of XV of 1882.

5. In the principal Act, in section 41, for the words “two lacs rupees”, the words “ten lacs rupees” shall be substituted.

Substitution of section 71 of XV of 1882.

6. In the principal Act, for section 71, the following section shall be substituted, namely:-

Court-fees.

“71. The Court-fees leviable in suits, appeals and applications under this Act shall be the same as are leviable under Chapter II of the Gujarat Court-fees Act, 2004 and the provisions of that Act shall, *mutatis mutandis*, apply to the recovery of such court-fees.". **Guj. 4 of 2004.**

Substitution of section 72 of XV of 1882.

7. In the principal Act, for section 72, the following section shall be substituted, namely:-

Process fees.

“72. Save as otherwise provided by or under any provision of this Act, the fees chargeable for serving and executing any processes issued by the Small Cause Court, Ahmedabad shall be the same as are prescribed by the High Court of Gujarat under section 32 of the Gujarat Court-fees Act, 2004.”. **Guj. 4 of 2004.**

Transfer of pending cases.

8. All suits and applications of a civil nature wherein the subject matter exceeds in amount or value two lacs rupees but does not exceed ten lacs rupees pending in the Courts of City Civil, Ahmedabad immediately before the commencement of the Presidency Small Cause Courts (Gujarat Amendment) Act, 2015 shall after such commencement, stand transferred, to and be disposed of by the Judge, Court of Small Cause, Ahmedabad within the local limit of his ordinary jurisdiction. **Guj. 19 of 2015.**

Government Central Press, Gandhinagar.

D:\SIS-12 Work-2015\Extra