

## The Suits Valuation (Maharashtra Extension and Amendment) Act, 1960

Act 4 of 1960

Keyword(s):

Court-Fees, Suits Valuation, Jurisdiction



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1960 : Mah. IV]

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**THE SUTS VALUATION (MAHARASHTRA EXTENSION AND AMENDMENT)  
ACT, 1960.**

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MAHARASHTRA ACT No. IV OF 1960.<sup>1</sup>

[THE SUITS VALUATION (MAHARASHTRA EXTENSION AND AMENDMENT) ACT, 1960.]

[7th September 1960.]

An Act to extend the Suits Valuation Act, 1887, to the rest of the State of Maharashtra, for certain purposes further to amend that Act and to repeal the corresponding law in force in a part of the State.

VII of  
1887.

WHEREAS the Suits Valuation Act, 1887 does not extend to that area of the State of Maharashtra which, immediately before the 1st November 1956, was comprised in a Part B State ;

Hyd.  
IV of  
18  
87.

AND WHEREAS in the Hyderabad area of the State, the Suits Valuation (for Purpose of Jurisdiction) Act is in force ;

VII of  
1887.

AND WHEREAS it is expedient that the Suits Valuation Act, 1887 be extended to the Hyderabad area of the State, and that in its application to the whole of the State that Act be further amended for purposes hereinafter appearing, and that in consequence the corresponding law aforesaid be repealed ;

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

1. (1) This Act may be called the Suits Valuation (Maharashtra Extension and Amendment) Act, 1960.

Short title  
and com-  
mencement.

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

VII of  
1887.

2. The Suits Valuation Act, 1887 is hereby extended to, and in virtue of such extension shall be in force in, the Hyderabad area of the State of Maharashtra.

Extension of  
Act VII of  
1887 to  
Hyderabad  
area of  
Maharashtra  
State.VII of  
1887.

3. In the Suits Valuation Act, 1887, in its application to the State of Maharashtra (hereinafter referred to as "the principal Act"), in section 1, after the words and letter "comprised in Part B States" the words "other than the Hyderabad area of the State of Maharashtra" shall be inserted.

Amendment  
of section-1  
of Act VII  
of 1887.

4. For section 2 of the principal Act, the following shall be substituted, namely :—

Substitution  
of section 2 of  
Act VII  
of 1887.Mah. IV  
of  
1960.

2. On the date of commencement of the Suits Valuation (Maharashtra Extension and Amendment) Act, 1960, sections 3 to 5 (both inclusive) shall cease to be in force throughout the State of Maharashtra, but the State Government may, by notification in the *Official Gazette*, bring the said sections into force in the whole of the State or any local area, from such date as may be specified in such notification."

Commence-  
ment of sec-  
tions 3 to 5.

<sup>1</sup> For Statement of Objects and Reasons, see Maharashtra Government Gazette, 1960, Part V, page 7.

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*The Suits Valuation (Maharashtra Extension and* [1960 : Mah.VI  
*Amendment) Act, 1960.*Amendment  
of section 3  
of Act VII  
of 1887.

5. In section 3 of the principal Act, for the words, figures, brackets and letter "the Court-fees Act, 1870, section 7, paragraphs *v* and *vi*, and paragraph *x*, clause (*d*)" the following shall be substituted, namely:—

"paragraphs (*v*) and (*vi*) and clause (*d*) of paragraph (*xi*) in section 6 of the Bombay Court-fees Act, 1959".

Bom.  
XXX.  
VI of  
1959.

Amendment  
of section 4  
of Act VII  
of 1887.

6. In section 4 of the principal Act, for the words and figures "the Court-fees Act, 1870, section 7, paragraph *iv*, or Schedule II, article 17," the following shall be substituted, namely:—

"clause (*c*), (*d*), (*e*), (*g*), (*i*) or (*j*) of paragraph (*iv*) or paragraph (*vi*) in section 6 or Article 3, 4, 5 or 7 in Schedule I or clause (*f*) of Article 23 in Schedule II to the Bombay Court-fees Act, 1959,".

Bom.  
XXXV  
of  
1959.

Deletion of  
section 6 of  
Act VII of  
1887.

7. Section 6 of the principal Act shall be deleted.

Amendment  
of section 7  
of Act VII  
of 1887.

8. To section 7 of the principal Act, the following proviso shall be added, namely:—

"Provided that, in the Hyderabad area of the State of Maharashtra it shall come into force on the date of commencement of the Suits Valuation (Maharashtra Extension and Amendment) Act, 1960."

Mah. IV  
of  
1960.

Amendment  
of section 8  
of Act VII  
of 1887.

9. In section 8 of the principal Act, for the words, figures, brackets and letter "the Court-fees Act, 1870, section 7, paragraphs *v*, *vi* and *ix*, and paragraph *x*, clause (*d*), court-fees are payable *ad valorem* under the Court-fees Act, 1870," the following shall be substituted, namely:—

"paragraphs (*v*), (*vi*) and (*x*) and clause (*d*) of paragraph (*xi*) in section 6 of the Bombay Court-fees Act, 1959, court-fees are payable *ad valorem* under the Bombay Court-fees Act, 1959,".

Bom.  
XXXVI  
of 1959.  
Bom.  
XXXVI  
of 1959.

Amendment  
of section 9  
of Act VII  
of 1887.

10. In section 9 of the principal Act, for the words, figures, brackets and letter "the Court-fees Act, 1870, section 7, paragraphs *v* and *vi*, and paragraph *x*, clause (*d*)," the following shall be substituted, namely:—

"paragraphs (*v*) and (*vi*) and clause (*d*) of paragraph (*xi*) in section 6 of the Bombay Court-fees Act, 1959,".

Bom.  
XXXVI  
of 1959.

Amendment  
of section 11  
of Act VII  
of 1887.

11. In section 11 of the principal Act—

(1) in sub-section (1), for the words and figures "section 578 of the Code of Civil Procedure" the words and figures "section 99 of the Code of Civil V of 1908. Procedure, 1908" shall be substituted;

(2) in sub-section (4), for the words and figures "section 622 of the Code of Civil Procedure" the words and figures "section 115 of the Code of Civil V of 1908. Procedure, 1908" shall be substituted;

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Amendment) Act, 1960.*

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(3) to sub-section (5), the following proviso shall be added, namely :—

“ Provided that, in the Hyderabad area of the State of Maharashtra it shall come into force on the date of commencement of the Suits Valuation (Maharashtra Extension and Amendment) Act, 1960.”

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of 1960.

Hyd.  
IV of 1960  
F.

12. (1). The Suits Valuation (for Purpose of Jurisdiction) Act, in its application to the Hyderabad area of the State of Maharashtra, is hereby repealed. Repeal and saving.

(2) The repeal under sub-section (1) shall not affect—

- (a) the previous operation of the Act so repealed ; or
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under that Act.

Hyd.  
IV of 1960  
F.

(3) Notwithstanding the repeal of the Suits Valuation (for Purpose of Jurisdiction) Act, in its application to the Hyderabad area of the State of Maharashtra, any suit or legal proceeding pending immediately before the date of such repeal before any Court by virtue of the provisions of section 5 of that Act shall be continued before and disposed of by that Court, as if this Act had not come into force.