

APPEALS TO SADAR DIWANI ADALAT, BENGAL ACT 1843

ACT No. II. Of 1843

(Rep., Act 16 of 1874)

[1st February, 1843].

Passed by the Right Hon'ble the President of the Council of India in Council, On the 1st of February, 1843, with the assent of the Right Hon,ble the Governor General of India.

An Act to regulate the Sittings of the Courts of Sudder Dewanny Adawlut.

I. It hereby enacted, in modification of Section 16, Regulation XXV. 1814 that when a single Judge of the Sudder Dewanny Adawlut, trying a case in Appeal, regular or special, from any Subordinate Court, shall be of opinion that the decision appealed from ought to be reversed or altered, he shall always call in two other Judges of the Court to sit with him, and that the Appeal shall be then heard by the three Judges sitting together, and be decided by them without any additional voices. In such cases the decree or final order shall be signed by the three Judges, if they agree together; but if one of them dissent from the view taken by the majority by the two Judges who agree together, and the signature of the third Judge shall not be considered requisite, but his opinion shall be recited in the decree or final order.

II. Provided that the above rule shall not be applicable to summary appeals, or to appeals in miscellaneous cases, nor shall it be held to interfere with the powers of a single Judge of the Sudder Dewanny Adawlut, under Clause 2, Section 2, Regulation IX. 1831.
