

ACT N o. IX OF 1863.

PASSED BY THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor-General on the 23rd February 1863.)

An Act to amend the Code of Civil Procedure.

WHEREAS the Code of Civil Procedure requires that appeals from decisions
or orders to the Sudder Court shall ordinarily be heard and
determined by two or more Judges of the said Court; and
whereas in the Territories, not subject to the general Regulations, the highest
Civil Courts of Appeal, which are declared by Section 386 of Act VIII of
1859 to be included in the expression "Sudder Court" in any part of the
said Territories to which the said Code may be extended, generally consist of
only a single Judge, and it is expedient to make provision for the powers to
be exercised by such single Judge in hearing appeals from decisions and orders
or in proceedings relating to any other matter which may be brought before
him; It is enacted as follows :—

I. When in any part of the British Territories in India to which the
Code of Civil Procedure has been or shall be extended
under the provisions of Section 385 of the said Code, the
highest Civil Court of Appeal consists of a single Judge,
such Judge shall have all the powers vested by such Code in two or more
Judges of the Sudder Court.

II. No order passed by or proceeding held before the single Judge of
any such highest Civil Court of Appeal, subsequent to the
extension of the Code of Civil Procedure to such part of
the British Territories in India, shall be deemed invalid or
be liable to be questioned on the ground that such order or proceeding was
passed by or held before a single Judge.

PRICE TWO ANNAS.