

ACT No. XX OF 1922.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 3rd October, 1922.)

An Act further to amend the Parsi Marriage and Divorce Act, 1865.

XV of 1865. **WHEREAS** it is expedient further to amend the Parsi Marriage and Divorce Act, 1865; It is hereby enacted as follows :—

1. This Act may be called the Parsi Marriage and Divorce (Amendment) Act, 1922. Short title.

XV of 1865. 2. After section 38 of the Parsi Marriage and Divorce Act, 1865 (hereinafter referred to as the said Act), the following section shall be inserted, namely :— Insertion of new section 39 in Act XV of 1865.

“ 39. Notwithstanding anything contained in section 16 or section 17, where in the case of a trial in a Parsi Chief Matrimonial Court, not less than nine or, in the case of a trial in a Parsi District Matrimonial Court, not less than six delegates have attended throughout the proceedings, the trial shall not be invalid by reason of the absence during any part thereof of the other delegate or delegates. Absence of delegates during trial.”

Where at any stage of a trial in a Parsi Chief Matrimonial Court less than nine, or in a Parsi District Matrimonial Court less than six, delegates are present who have attended throughout the proceedings and the presiding Judge is of opinion that it is not possible without undue delay to secure the attendance throughout the proceedings of nine or six delegates, as the case may be, the proceedings shall be stayed and a new trial shall be held with the aid of fresh delegates.”

3. (1) In section 41 of the said Act for the words “ before whom the case is tried ” the words “ who have attended throughout the trial ” shall be substituted. Amendment of section 41, Act XV of 1865.

(2) To the same section the following proviso shall be added, namely :—

“ Provided that, where such delegates are equally divided in opinion, the decision on the facts shall be the decision of the presiding Judge.”

[Price, one anna.]