

ACT No. XXX OF 1926.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the
3rd September, 1926.)

An Act further to amend the Negotiable Instruments Act, 1881, and the Code of Civil Procedure, 1908, for certain purposes.

VI of 1881. **W**HEREAS it is expedient further to amend the Nego-
tiable Instruments Act, 1881, and the Code of Civil
of 1908. Procedure, 1908, for the purposes hereinafter appearing; It
is hereby enacted as follows:—

1. This Act may be called the Negotiable Instruments Short title
(Interest) Act, 1926.

VI of 1881. 2. In section 80 of the Negotiable Instruments Act, 1881, Amendment of
of 1908. for the words and figures “except in cases provided for by section 80, Act
the Code of Civil Procedure, section 532” the words “not- XXVI of
withstanding any agreement relating to interest between any 1881.
parties to the instrument” shall be substituted.

of 1908. 3. In section 117 of the same Act, the words and brackets Amendment of
“ (except in cases provided for by the Code of Civil Procedure, section 117, Act
section 532,) ” shall be omitted. XXVI of 1881.

of 1908. 4. In the First Schedule to the Code of Civil Procedure, Amendment of
1908— First Schedule
to Act V of
1908.

(1) in sub-rule (2) of rule 2 of Order XXXVII, for the
words beginning with the words “for any sum
not exceeding” and ending with the words “exe-
cuted forthwith” the following shall be sub-
stituted, namely:—

“(a) for the principal sum due on the instrument
and for interest calculated in accordance with
the provisions of section 79 or section 80, as
the case may be, of the Negotiable Instru-
ments Act, 1881, up to the date of the insti-
tution

XXVI of 1881.

Negotiable Instruments (Interest). [ACT XXX OF 1926.]

tution of the suit, or for the sum mentioned in the summons, whichever is less, and for interest up to the date of the decree at the same rate or at such other rate as the Court thinks fit; and

- (b) for such subsequent interest, if any, as the Court may order under section 34 of this Code; and
- (c) for such sum for costs as may be prescribed:

Provided that, if the plaintiff claims more than such fixed sum for costs, the costs shall be ascertained in the ordinary way.

- (3) A decree passed under this rule may be executed forthwith; and
- (2) in Form No. 4 in Appendix B, after the words "for costs" the words "together with such interest, if any, from the date of the institution of the suit as the Court may order" shall be inserted.