

ACT No. XXIV OF 1942.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 1st October, 1942.)

An Act further to amend the Code of Civil Procedure, 1908.

V of 1908. **W**HEREAS it is expedient further to amend the Code of Civil Procedure, 1908, for the purposes hereinafter appearing;

It is hereby enacted as follows :—

1. This Act may be called the Code of Civil Procedure Short title. (Second Amendment) Act, 1942.

V of 1908. 2. In Order XXXIII in the First Schedule to the Code of Civil Procedure, 1908,—
Amendment of Order XXXIII, Act V of 1908.

(a) after rule 11 the following rule shall be inserted, namely :—

“ 11A. Where the suit abates by reason of the death of the plaintiff or of any person added as a co-plaintiff the Court shall order that the amount of court-fees which would have been paid by the plaintiff if he had not been permitted to sue as a pauper shall be recoverable by the Provincial Government from the estate of the deceased plaintiff.” ;
Procedure where pauper suit abates.

(b) in rule 12, for the words and figure “ or rule 11 ” the words, figures and letter “ rule 11 or rule 11A ” shall be substituted ;

(c) in rule 13, after the word and figure “ rule 11 ” the word, figure and letter “ rule 11A ” shall be inserted ;

(d) for rule 14 the following rule shall be substituted, namely :—

“ 14. Where an order is made under rule 10, rule 11 or rule 11A the Court shall forthwith cause a copy of the decree or order to be forwarded to the Collector, who may, without prejudice to any other mode of recovery, recover the amount of court-fees specified therein from the person or property liable for the payment as if it were an arrear of land revenue.”
Recovery of amount of court-fees.

Price anna 1 or 1½d.

GIPD—SI—1290 LD—28-11-42—3,000.