

THE FAMILY COURTS (AMENDMENT) ACT, 1991

No. 59 OF 1991

[28th December, 1991.]

An Act to amend the Family Courts Act, 1984.

Enacted by Parliament in the Forty-second Year of the Republic of India as follows:—

1. This Act may be called the Family Courts (Amendment) Act, 1991.

Short
title.

66 of 1984.

2. In Chapter V of the Family Courts Act, 1984,—

Amend-
ment of
Chapter
V.

(a) for the heading "APPEALS", the heading "APPEALS AND REVISIONS" shall be substituted;

(b) in section 19,—

(i) in sub-section (2), after the word "parties", the following shall be inserted, namely:—

2 of 1974.

"or from an order passed under Chapter IX of the Code of Criminal Procedure, 1973:

2 of 1974.

Provided that nothing in this sub-section shall apply to any appeal pending before a High Court or any order passed under Chapter IX of the Code of Criminal Procedure, 1973 before the commencement of the Family Courts (Amendment) Act, 1991.; and

(ii) sub-sections (4) and (5) shall be renumbered as sub-sections (5) and (6) respectively and before sub-section (5) as so renumbered, the following sub-section shall be inserted, namely:—

2 of 1974.

"(4) The High Court may, of its own motion or otherwise, call for and examine the record of any proceeding in which the Family Court situate within its jurisdiction passed an order under Chapter IX of the Code of Criminal Procedure, 1973 for the purpose of satisfying itself as to the correctness, legality or propriety of the order, not being an interlocutory order, and as to the regularity of such proceeding."