

COOCH BEHAR MUNICIPAL (AMENDMENT) ACT, 1962**5 of 1962****[10th April, 1962]**

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COOCH BEHAR MUNICIPAL (AMENDMENT) ACT, 1962**5 of 1962****[10th April, 1962]**

An Act to amend the Cooch Behar Municipal Act, 1944. WHEREAS it is expedient to amend the Cooch Behar Municipal Act, 1944, for the purpose and in the manner hereinafter appearing; It is hereby enacted as follows:

1. Short title :-

This Act may be called the Cooch Behar Municipal (Amendment) Act, 1962.

2. Substitution of new section for section 110 of Cooch Behar Act 3 of 1944 :-

For section 110 of the Cooch Behar Municipal Act, 1944 (hereinafter referred to as the said Act), the following section shall be substituted, namely:

"110. Power of Commissioners to bring suits in the event of failure to realise tax, etc., by distress.

(1) In the event of failure to realise by distress and sale the whole or any part of any tax, toll, fee or rates the Commissioners may sue the persons liable to pay the same in any court of competent jurisdiction.

(2) Notwithstanding any decision of any court to the contrary, any proceeding instituted in accordance with the provisions of sections

104 to 109 and pending on the date of commencement of the Cooch Behar Municipal (Amendment) Act, 1962, may be continued after such commencement and any such proceeding, or any order made, anything done or any action taken therein, shall not, in any manner, be called in question merely on the ground that the Cooch Behar Municipal (Amendment) Act, 1962 was not in force when such proceeding was instituted, such order was made, such thing was done or such action was taken."

3. Repeal and savings :-

(1) The Cooch Behar Municipal (Amendment) Ordinance, 1961, is hereby repealed.

(2) Anything done or any action taken under the said Act as amended by the Cooch Behar Municipal (Amendment) Ordinance, 1961, shall be deemed to have been validly done or taken under the said Act as amended by this Act, as if this Act had commenced on the 4th day of December, 1961.