

Presidency Small Cause Courts (Gujarat Amendment) Act, 1968

5 of 1969

[09 April 1969]

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Presidency Small Cause Courts (Gujarat Amendment) Act, 1968

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AN ACT further to amend the Presidency Small Cause Courts Act, 1882, in its application to the State of Gujarat. It is hereby enacted in the Nineteenth Year of the Republic of India as follows:-

1. Short Title And Commencement :-

- (1) This Act may be called the Presidency Small Cause Courts (Gujarat Amendment) Act, 1968.
- (2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Amendment Of Section 18 Of Act Xv Of 1882 :-

In section 18 of the Presidency Small Cause Courts Act, 1882 (XV of 1882.) (hereinafter referred to as "the principal Act") for the words "two thousand rupees" wherever they occur, the words "three thousand rupees" shall be substituted.

3. Amendment Of Section 20 Of Act Xv Of 1882 :-

In section 20 of the principal Act, for the words "two thousand rupees" wherever they occur, the words "three thousand rupees" shall be substituted.

4. Amendment Of Section 22 Of Act Xv Of 1882 :-

In section 22 of the principal Act, in clause (b), for the words "two thousand rupees" the words "three thousand rupees" shall be substituted.

5. Amendment Of Section 41 Of Act Xv Of 1882 :-

In section 41 of the principal Act, for the words "two thousand rupees" the words "three thousand rupees" shall be substituted.

6. Amendment Of Third Schedule To Act Xv 1882 :-

In the Third Schedule to the principal Act, for Part E, the following shall be substituted, namely:-

"E

(See section 66)

In the Small Cause Court for

SCALE OF FEES TO BE LEVIED IN DISTRAINTS FOR HOUSE RENT

Sums sued for			Affidavit and warrant to distrain	Order to sell	Commission	Total
Rs.		Rs.	Rs. paise	Rs. paise	Rs. paise	Rs. paise
1	and	5	0.25	0.50	0.50	1.25
5	under	10	0.50	0.50	1.00	2.00
10	"	15	0.50	0.50	1.50	2.50
15	"	20	0.50	1.00	2.00	3.50
20	"	25	0.75	1.00	2.50	4.25
25	"	30	1.00	1.00	3.00	5.00
30	"	35	1.00	1.00	3.50	5.50
35	"	40	1.00	1.50	4.00	6.50
40	"	45	1.25	2.00	4.50	7.75
45	"	50	1.50	2.00	5.00	8.50
50	"	60	2.00	2.00	6.00	10.00
60	"	80	2.50	2.50	6.50	11.50
80	"	100	3.00	3.00	7.00	13.00
Upwards of	"	100	3.00	3.00	7 per centum	

The above scale includes all expenses, except in suits where the tenant disputes the landlords claim, and witnesses have to be sub-poenaed, in which case each sub-poena for sums under Rs. 40 must be paid for at twenty five paise each, and seventy five paise above that amount; and also where peons are kept in charge of property distrained, such fee not exceeding seventy five paise per day as may be fixed by the Registrar of the Small Cause Court must be paid per man."

7. Substitution Of Fourth. Schedule By A New One In Act Xv Of 1882 :-

For the Fourth Schedule to the principal Act, the following shall be substituted, namely:-

"THE FOURTH SCHEDULE

(See section 72)

FEES FOR SUMMONSES AND OTHER PROCESSES.

When the amount or value of the subject matter exceeds	But does not exceed	Fee for summonses	Fee for other processes
Rs.	Rs.	Rs. paise	Rs. paise
0	10	0.15	0.15
10	20	0.25	0.25
20	50	0.50	0.50
50	100	1.00	1.00
100	200	1.25	2.00
200	300	1.50	3.00
300	400	1.75	4.00
400	500	2.00	5.00
500	600	2.25	6.00
600	700	2.50	7.00
700	800	2.75	8.00
800	900	3.00	9.00
900	1,000	3.25	10.00
1,000	1,100	3.40	10.50
1,100	1,200	3.50	11.00
1,200	1,300	3.65	11.50
1,300	1,400	3.75	12.00
1,400	1,500	3.90	12.50
1,500	1,600	4.00	13.00
1,600	1,700	4.15	13.50
1,700	1,800	4.25	14.00
1,800	1,900	4.40	14.50
1,900	2,000	4.50	15.00
2,000	2,100	4.65	15.50
2,100	2,200	4.75	16.00
2,200	2,300	4.90	16.50
2,300	2,400	5.00	17.00
2,400	2,500	5.15	17.50
2,500	2,600	5.25	18.00
2,600	2,700	5.40	18.50
2,700	2,800	5.50	19.00

2,800	2,900	5.65	19.50
2,900	3,000	5.75	20.00"