
High Court Of Judicature Decrees And Orders Validation Act, 2006

57 of 1949

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An Act to provide for the validation of the decrees, orders and other proceedings of and actions taken by the High Court of Judicature of the United States of Gwalior, Indore and Malwa (Madhya Bharat) passed, done or taken during certain period. Whereas it is expedient to provide for the validation of the decrees, orders and other proceedings of and action taken by the High Court of Judicature of the United States of Gwalior, Indore and Malwa (Madhya Bharat) passed, done or taken during certain period, it is hereby enacted as follows :-- 1. Received the assent of His Highness the Raj Pramukh on 17-6-1949. 2. Published in the Madhya Bharat Government Gazette, dated 30-7-1949.

1. Title, Extent And Commencement :-

(1) This Act may be called "The United States of Gwalior, Indore and Malwa (Madhya Bharat) High Court. of Judicature Decrees and Orders Validating Act, Samvat 2006".

(2) It extends to the whole of the United States of Madhya Bharat and shall come into force immediately on its publication in the Government Gazette.

2. Validation Of The Decrees And Orders And Other Actions Of The High Court :-

No decree passed, order made, notification published, power conferred, jurisdiction vested, form prescribed, order, rule or appointment made, or action taken by the High Court of Judicature of the United States of Gwalior, Indore and Malwa (Madhya Bharat) or by the Chief Justice of the said High Court shall be invalid or called in question in any proceeding before any Court or authority on the ground that on or after the 18th day of January, 1949, and before the 14th day of February, -1949, the said High Court was not legally constituted inasmuch as its Chief Justice Mr. Bhide did not fulfil the requirements of Section 10 (a) of the High Court of Judicature Act, Samvat 2005 (Act No. 8 of 1949).

3. Orders Against The Validity To Be Void :-

Where in any proceedings any such decree or order, notification, power, jurisdiction, form, rule, appointment, order or action has been found invalid on such ground as aforesaid by any Court or authority, such finding shall be void and of no effect; and the Court or authority shall, notwithstanding anything to the contrary in any law for the time being in force, on application made within three months from the commencement of the United States of Gwalior, Indore and Malwa (Madhya Bharat) High Court of Judicature Decrees and Orders Validation Ordinance, Samvat 2005, by any person prejudicially affected by such finding, restore the proceedings at and continue the proceedings from the stage reached immediately before the order embodying or based on such finding was made.

4. Repealed :-

As soon as this Act comes into force the United States of Gwalior, Indore and Malwa (Madhya Bharat) High Court of Judicature Decrees and Orders Validations Ordinance, Samvat 2005, shall stand repealed :

Provided that all applications made, orders given and actions taken under the said Ordinance shall be deemed to have been made, given or taken under this Act.