Code Of Civil Procedure (West Pakistan Amendment) Act, 1964

30 of 1964

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An Act to amend the Code of Civil Procedure, 1908[2], in its application to the Province of West Pakistan Preamble.- WHEREAS it is expedient that before an injunction is granted against the Government or any statutory authority, board or corporation set up or established by Government, that notice should issue to the Government or such authority, board or corporation; AND, WHEREAS, it is expedient that the Code of Civil Procedure, 1908[3], in its application to the Province of West Pakistan be amended to provide for the giving of such notice; It is hereby enacted as follows:-

1. Short Title And Commencement :-

(1) This Act may be called the Code of Civil Procedure (West Pakistan Amendment) Act, 1964.
(2) It shall come into force at once.

2. Amendment Of Order Xxxix, Rule 3 Of Act V Of 1908 :-

In the Code of Civil Procedure, 1908, in Order XXXIX, inrule 3, for the proviso, the following proviso shall be substituted, namely:-
"Provided that, except in the case of sale of goods for default in payment, at the stipulated time of a debt in respect of which the

goods were pledged with any bank, or where the injunction is to be granted against the Government or a Government servant as such or any statutory authority, board or corporation set up or established by Government, the Court may, where it appears that the object of granting the injunction would be defeated by the delay, dispense with such notice:

Provided further that the period of notice under this rule to Government or a Government servant as such or any statutory authority, board or corporation set up or established by Government shall not be less than two days nor exceed seven days".