

Introduced on :-12-04-2018
[AS INTRODUCED IN THE SENATE]

A

BILL

further to amend the Code of Civil Procedure, 1908

WHEREAS it is expedient further to amend the Code of Civil Procedure, 1908 (V of 1908) for the purposes hereinafter appearing.

It is hereby enacted as follows:

1. Short title, extent and commencement.— (1) This Act may be called the Code of Civil Procedure (Amendment) Act, 2018.

(2) It extends to whole of the Islamabad Capital Territory.

(3) It shall come into force at once.

2. Amendment in section 114 of Act V of 1908.— In the Code of Civil Procedure, 1908 (V of 1908), hereinafter referred to as the said Code, in section 114, in sub-section (1), in paragraph (c), the words “by a decision on a reference from a Court of Small Causes” shall be omitted.

3. Amendment in First Schedule of Act V of 1908.— In the said Code, in the First Schedule:

(a) In ORDER XX, in rule 4, sub-rule (1) shall be omitted;

(b) In ORDER XXXVIII, the rule 13 shall be omitted;

(c) In ORDER XLVI, in rule 6, sub-rule (1) shall be omitted;

(d) In ORDER XLVI, in rule 7, sub-rule (1) shall be omitted; and

(e) ORDER L shall be omitted.

STATEMENT OF OBJECTS AND REASONS

The Code of Civil Procedure, 1908 contains repeated redundant references to courts of small causes as these courts stand abolished after the promulgation of the Small and Minor Offences Courts Ordinance, 2002. To remove these references, amendments in the said Code are required. Hence this Bill.

**Chaudhry Mahmood Bashir Virk,
Minister for Law and Justice
Minister-in-Charge**