JUDGMENTS

1953 No. 192

The Reciprocal Enforcement of Judgments (India) Order, 1953

Made - - - - 11*th February*, 1953
Coming into Operation 1*st March*, 1953

At the Court at Buckingham Palace, the 11th day of February, 1953

Present,

The Queen's Most Excellent Majesty in Council

Whereas by virtue of Section 1 of the Foreign Judgments (Reciprocal Enforcement) Act, 1933(a) (herein referred to as " the said Act ") and of Article (I) of the Reciprocal Enforcement of Judgments (General Application to His Majesty's Dominions etc.) Order, 1933(b), Her Majesty may extend Part I of the said Act to any foreign country and to any dominion:

And Whereas by Section 44A of an Act of the Indian Legislature entitled the Code of Civil Procedure, which extends to the territories of the Republic of India named in the Schedule hereto, a decree of any of the Superior Courts of the United Kingdom may be executed in the said territories:

And Whereas the said Act was extended to British India by the Reciprocal Enforcement of Judgments (British India and British Burma) Order, 1938:

And Whereas it is expedient to apply the said Act to the said territories named in the Schedule hereto:

Now, therefore, Her Majesty, by virtue and in exercise of Her powers under the said Act and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Reciprocal Enforcement of Judgments (India) Order, 1953, and shall come into operation on the first day of March, 1953.

2. The Reciprocal Enforcement of Judgments (British India and British Burma) Order, 1938(c), is hereby repealed.

3. Part I of the said Act shall extend to the territories of the Republic of India named in the Schedule hereto.

4. The following Courts of the said territories shall be deemed Superior Courts of the said territories for the purposes of Part I of the said Act, that is to say:—

(*a*) All High Courts and Judicial Commissioners' Courts.

(*b*) All District Courts.

(a) 23 & 24 Geo. 5. c. 13. (b) S.R. & O. 1933/1073; Rev. XI, p. 163; 1933, p. 953.
(c) S.R. & O. 1938/1363; 1938 I, p. 1601.

(*c*) All other courts whose civil jurisdiction is subject to no pecuniary limit provided that the Judgment sought to be registered under the said Act is sealed with a seal showing that the jurisdiction of the Courts is subject to no pecuniary limit.

W. G. Agnew.

THE SCHEDULE

The States of Assam (except the Tribal Areas), Bihar, Bombay, Madhya Pradesh, Madras (except the Scheduled Areas), Orissa, Punjab, Uttar Pradesh, West Bengal, Hyderabad, Madhya Bharat, Mysore, Patiala and East Punjab States Union, Rajasthan, Saurashtra, Travancore-Cochin, Ajmer, Bhopal, Bilaspur, Coorg, Delhi, Himachal Pradesh, Kutch, Tripura, Vindhya Pradesh, the Andaman and Nicobar Islands.

EXPLANATORY NOTE

(*This Note is not part of the Order, but is intended to indicate its general purport.*)

The purpose of the Order is to extend the application of the Foreign Judgments (Reciprocal Enforcement) Act, 1933, to all the territories of India named in the Schedule appended to the Order, and to repeal the Order previously made in respect of British India and British Burma.

1953 No. 193

The Reciprocal Enforcement of Judgments (Pakistan) Order, 1953

Made - - - - 11*th February*, 1953
Coming into Operation 1*st March*, 1953

At the Court at Buckingham Palace, the 11th day of February, 1953

Present,

The Queen's Most Excellent Majesty in Council

Whereas by virtue of Section 1 of the Foreign Judgments (Reciprocal Enforcement) Act, 1933(a), (herein referred to as "the said Act") and of Article (1) of the Reciprocal Enforcement of Judgments (General Application to His Majesty's Dominions etc.), Order, 1933(b), Her Majesty may extend Part I of the said Act to any foreign country and to any dominion:

And Whereas by Section 44A of the Code of Civil Procedure as in force in Pakistan a decree of any of the Superior Courts of the United Kingdom may be executed in Pakistan:

And Whereas the said Act was extended to British India by the Reciprocal Enforcement of Judgments (British India and British Burma) Order, 1938(c):

(a) 23 & 24 Geo. 5. c. 13. (b) S.R. & O. 1933/1073; Rev. XI, p. 163; 1933, p. 953.
(c) S.R. & O. 1938/1363; 1938 I, p. 1601.