
STATUTORY INSTRUMENTS

1958 No. 425

JUDGMENTS

The Reciprocal Enforcement of Judgments (India) Order, 1958

Made - - - - 14th March 1958

Coming into Operation 1st April 1958

At the Court at Buckingham Palace, the 14th day of March, 1958

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers conferred on Her by section one of the Foreign Judgments (Reciprocal Enforcement) Act, 1933, and of all other powers Her enabling, 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, 1958, and shall come into operation on the first day of April, 1958.
2. The Reciprocal Enforcement of Judgments (India) Order, 1953, is hereby revoked provided that it shall continue to have effect in relation to judgments given before the coming into operation of this Order.
3. Part I of the Act shall extend to the territories 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) The Supreme Court.
 - (b) All High Courts and Judicial Commissioners' Courts.
 - (c) All District Courts.
 - (d) 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

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THE SCHEDULE

(1) The States of Andhra Pradesh (excepting the Scheduled Areas), Assam (except the Tribal Areas), Bihar, Bombay, Kerala, Madhya Pradesh, Madras, Mysore, Orissa, Punjab, Rajasthan, Uttar Pradesh and West Bengal.

(2) The Union Territories of Delhi, Himachal Pradesh, Tripura, Manipur and Andaman and Nicobar Islands.

EXPLANATORY NOTE

This Order revokes and replaces with certain modifications the Reciprocal Enforcement of Judgments (India) Order, 1953. The modifications are for the purpose of adding the Supreme Court of India to the list of courts contained in the Order of 1953 and revising the list of territories in India to which the Foreign Judgments (Reciprocal Enforcement) Act, 1933, Part I, extends.

The revocation is not to affect judgments given before the commencement of this Order by Courts which were Superior Courts under the Order of 1953.