

[TO BE INTRODUCED IN THE NATIONAL ASSEMBLY]

A
BILL

further to amend the Code of Civil Procedure, 1908 (Act V of 1908)

WHEREAS it is expedient and necessary to amend the Code of Civil Procedure, 1908, to eliminate obstacles for decree-holders in the pursuit of Justice and simplify the proceedings pertaining to execution of decrees for their expeditious satisfaction.

It is hereby enacted as follows:-

- 1. Short title and commencement.**- (1) This Act may be called the Code of Civil Procedure (Amendment) Act, 2015.
(2) It shall come into force at once.
(3) It shall extend to the whole of Pakistan.
- 2. Amendment of section 33, Act V of 1908.**- In the Code of Civil Procedure, 1908 (Act V of 1908), hereinafter referred to as the said Act, in section 33, the following new proviso shall be inserted, namely:-

“Provided that the case shall not be deemed disposed of till the satisfaction of the decree, which shall be done by the Court executing the decree at earliest possible opportunity or within six months after it is applied for execution.”.

STATEMENT OF OBJECTS AND REASONS

The legal maxim that “Justice delayed is justice denied” quietly fits upon the procedures of execution of decrees in the present era, because the decree-holders even after obtaining the decrees in their favour become tired till the satisfaction of the decrees, therefore this amendment is proposed to eliminate the hurdles existing in the way of Court executing the decree by empowering it more through this amendment.

By amending section 33, the Court executing a decree has been bound to satisfy the decree as soon as possible or alternatively within six months after it has been applied for execution.

This Bill seeks the above said objects.

Sd/-
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