[TO BE INTRODUCED IN THE NATIONAL ASSEMBLY]

A

BILL

Further to amend the Civil Courts Ordinance, 1962

WHEREAS it is expedient further to amend in its application to the Islamabad Capital Territory the Civil Courts Ordinance, 1962, (W.P Ordinance II of 1962), in the manner and for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.— (1) This Act shall be called the Civil Courts (Amendment) Act, 2024.

(2) It shall come into force at once.

2. Amendment in section 18, W.P. Ordinance II of 1962.— In the Civil Courts Ordinance, 1962 (W.P. Ordinance II of 1962), in section 18, for sub-section(1), the following shall be substituted, namely:—

"(1) Save as aforesaid, an appeal from a decree or order of a Civil Judge shall lie to the District Judge.".

STATEMENT OF OBJECTS AND REASONS

The prices of the properties are ostensibly high in Islamabad Capital Territory, and valuation of most of the Regular First Appeals, against orders / decrees of Civil Court, is more than twenty five hundred thousand rupees due to which pendency on appellate side of the Islamabad High Court has increased manifold.

2. Under clause (a) of sub-section (1) of section 18 of the West Pakistan Civil Courts Ordinance, 1962, the Islamabad High Court has pecuniary, appellate jurisdiction exceeding twenty five hundred thousand rupees (2.5 million rupees). By virtue of the Punjab Civil Courts (Amendment) Act, 2016 (XXXVIII of 2016), the Lahore High Court has already enhanced its appellate, pecuniary jurisdiction from 2, 500, 000/ - (2.5 million rupees) to 50 million rupees. However, pecuniary, appellate jurisdiction of Islamabad High Court remained the same i.e. 2.5 million rupees. In order to decrease burden of litigation on appellate side of Islamabad High Court, there is need to make District Court the forum to entertain appeals arising out from decree or order of Civil Judge.

3. The Bill is designed to achieve the said object.

Minister Incharge