

www.ezqanoon.com

THE CODE OF CIVIL PROCEDURE
(WEST PAKISTAN AMENDMENT)
ACT, 1964

(W.P. Act XXX of 1964)

CONTENTS

SECTIONS

Preamble.

1. Short title and commencement.

2. Amendment of Order XXXIX, rule 3 of Act V of 1908.

www.ezqanoon.com

'THE CODE OF CIVIL PROCEDURE
(WEST PAKISTAN AMENDMENT)

Preamble.

Short title and
commencemen
t.

Amendment of
Order XXXIX,
rule 3 of Act V
of 1908.

ACT, 1964

(W.P. Act XXX of 1964)

[27 April, 1964]

An Act to amend the Code of Civil Procedure, 1908, in
its application to the Province of West Pakistan.

WHEREAS it is expedient that before an injunction is
granted against the Government or any statutory authority,
board or corporation set up or established by Government, that
notice should issue to the Government or such authority, board
or corporation;

AND, WHEREAS, it is expedient that the Code of Civil
Procedure, 1908, in its application to the Province of West
Pakistan be amended to provide for the giving of such notice;

It is hereby enacted as follows:—

1. qd) This Act may be called the Code of Civil
Procedure (West Pakistan Amendment) Act, 1964.

(2) It shall come into force at once.

2. In the Code of Civil Procedure, 1908, in Order XXXIX,
in rule 3, for the proviso, the following proviso shall be
substituted, namely:—

“Provided that, except in the case of sale of goods for
default in payment, at the stipulated time of a debt in respect of
which the goods were pledged with any bank, or where the
injunction is to be granted against the Government or a
Government servant as such or any statutory authority, board or
corporation set up or established by Government, the Court
may, where it appears that the object of granting the injunction
would be defeated by the delay, dispense with such notice:

Provided further that the period of notice under this rule to Government or a Government servant as such or any statutory authority, board or corporation set up or established by Government shall not be less than two days nor exceed seven

1 This Act was passed by the W. P. Assembly on 8" April, 1964; assented to by the Governor of W. P. on 19" April, 1964; and the W. P. Gazette (Extraordinary), dated 27" April, 1964, pages 1311-A to 1311-B.

www.ezqanoon.com

www.ezqanoon.com

days."

www.ezqanoon.com