

THE AZAD KASHMIR COURTS AND LAWS CODE
(AMENDMENT) ACT, 1952

Government Order No. 185/52

The Supreme Head of the Azad Kashmir Movement signified his assent on 31st, March, 1952 to the Azad Kashmir Courts and Laws Code (Amendment) Act No. 1 of 1952) as per appendix hereto passed by the Azad Kashmir Government on 10th February, 1952. The Act shall come into force from the date of publication in the Government Gazette.

ACT I OF 1952.

Whereas it is expedient to amend the Azad Kashmir Courts and Laws Code of 1949, it is hereby enacted as follows :-

1. (i) This Act may be called the Azad Kashmir Courts and Laws Code (Amendment) Act No. 1 of 1952.

(ii) It extends to the whole of Azad Kashmir Territory and shall come into force at once.

2. The following shall be substituted for Section 57 of the Azad Kashmir Courts and Laws Code of 1949 :-

“57. (i) The provisions of the Indian Limitation Act shall govern all suits, appeals and application :

Provided that the provisions of the Azad Jammu and Kashmir Limitation. Act of the Old Dogra Regime shall apply to suits based on causes of action which accrued before coming into force of the Azad Kashmir Courts and Laws Code of 1949.

(ii) Notwithstanding anything contained in Section 11 of the Civil Procedure Code or any other Law for the time being in force, proceedings in suits in which the cause of action accrued before coming into force of the Azad Kashmir Courts and Laws Code 1949 and which were dismissed on account of being time barred in consequence of a change in the period of Limitation due to the enforcement of the Indian Limitation Act instead of the Jammu and Kashmir Limitation Act of the Old

Regime, shall be revived and continued further by the Courts concerned on the application of the party adversely affected.

The date of coming into force of the Azad Kashmir Courts and Laws Code of 1949 shall be the tenth day of June of the year 1949.