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# SIND ACT No. VI OF 1930.[1]

## [PROVINCIAL SMALL CAUSE COURTS (SIND AMENDMENT) ACT, 1930]

[9th *May*, 1930]

*An Act further to amend the Provincial Small Cause Courts Act, 1887, in its application to the* [2][*Province of Sind*].

WHEREAS it is expedient further to amend the Provincial Small Cause Courts Act, 1887, in its application to the [2][Province of Sind], in manner hereinafter appearing; It is hereby enacted as follows:—

IX of 1887.

1. This Act may be called the Provincial Small Cause Courts ([3][Sind] Amendment) Act, 1930. Short title.

2. In sub-section (3) of section 12 of the Provincial Small Cause Courts Act, 1887, hereinafter called "the said Act" for the word "twenty" the word "fifty" shall be substituted. Amendment of section 12 of Act IX of 1887.

IX of 1887.

3. In the Second Schedule to the said Act the following amendments shall be made, namely:— Amendment of the second Schedule to Act IX of 1887.

(1) to clause (4) after the words "such property" the following shall be added, namely:—

"but not including a suit for ejectment where—

(a) The property has been let under a lease made by a written instrument [4][or orally], and

(b) The Court of Small Causes would be competent to take cognizance of a suit for the rent of the property, and

(c) The only substantial issue arising for decision is as to whether the lease has determined by efflux of the time limited thereby or has been determined by a notice in accordance with clause (h) of section 111 of the Transfer of Property Act, 1882."

VI of 1882.

(2) in clause (18) for the words "relating to a trust" the words "to enforce a trust" shall be substituted;

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1 For Statement of Objects and Reasons, *see* B. G. G., 1930, Part V, pp. 35-38; and for Proceedings in Council, *see* Bombay Legislative Council Debates, 1930, Vol. XXVIII.

2 Subs. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 3 (4) (a) (w. e. f. 30th May 1951), for "Presidency of Bombay".

3 Subs. *ibid*, s. 3 (1) (w. e. f. 30th May, 1951), for "Bombay".

4 Ins. in the principal Act by Sind 9 of 1932, s. 2.

(3) to clause (20) after the words "Code of Civil Procedure" the words "in respect of any immoveable property" shall be added ;

(4) to clause (21) after the word "attachment" the words "of any immoveable property" and after the word "transfer" the words "of any such property" shall, respectively, be added; and

(5) in clause (31) for the words " and a suit for the profits on immoveable property belonging to the Plaintiff which have been wrongfully received by the Defendant" the words "but not including a suit for mesne profits" shall be substituted.