



LEGISLATIVE ASSEMBLY OF GOA

**The Goa Civil Courts (Amendment)  
Bill, 1989**

(Bill No. 15 of 1989)

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(To be introduced in the Legislative Assembly of Goa)

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**GOA LEGISLATURE DEPARTMENT  
ASSEMBLY HALL, PANAJI  
APRIL, 1989**

The Goa Civil Courts (Amendment) Bill, 1989

(Bill No. 15 of 1989)

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BILL

*further to amend the Goa, Daman and Diu Civil Courts Act, 1965.*

Be it enacted by the Legislative Assembly of Goa in the Fortieth Year of the Republic of India as follows: —

1. *Short title and commencement.* — (1) This Act may be called the Goa Civil Courts (Amendment) Act, 1989.

(2) It shall come into force at once.

2. *Amendment of section 24.* — In the Goa, Daman and Diu Civil Courts Act, 1965 (Act 16 of 1965) (hereinafter referred to as the "principal Act"), in sub-section (1) of section 24, for the words "in the case of a Senior Civil Judge one thousand and five hundred rupees and in the case of Junior Civil Judge five hundred rupees", the words "in the case of a Senior Civil Judge three thousand rupees and in the case of Junior Civil Judge one thousand and five hundred rupees" shall be substituted.

3. *Amendment of section 33.* — In section 33 of the principal Act, the words and figures "under section 21 of the Goa, Daman and Diu (Judicial Commissioner's Court) Regulation, 1963" shall be omitted.

### Statement of Objects and Reasons

In terms of section 24 of the Goa, Daman and Diu Civil Courts Act, 1965, the upper limit of pecuniary jurisdiction which may be invested by the High Court on Senior Civil Judge is Rs. 1,500/- and on Junior Civil Judge is Rs. 500/-. As the said amount which was fixed in the year 1965, has no relevance in the present times on account of high rise in the cost of living, it is proposed to enhance the pecuniary jurisdiction of Senior Civil Judge from Rs. 1,500/- to Rs. 3,000/- and of Junior Civil Judge from Rs. 500/- to Rs. 1,500/-.

Also, in terms of section 33 of the Goa, Daman and Diu Civil Courts Act, 1965, closed holidays are required to be notified by the High Court as per the provisions contained in section 21 of the Goa, Daman and Diu (Judicial Commissioner's Court) Regulation, 1963. As with the coming into force of the High Court at Bombay (Extension of Jurisdiction to Goa, Daman and Diu) Act, 1981, the Judicial Commissioner's Court has been upgraded into the High Court of Judicature at Bombay (Goa Bench), it is proposed to amend section 33 of the Goa, Daman and Diu Civil Courts Act, 1965 so as to delete the words "under section 21 of the Goa, Daman and Diu (Judicial Commissioner's Court) Regulation, 1963.

This Bill seeks to achieve the above objects.

### Financial Memorandum

No financial implications are involved in this Bill.

Panaji,  
18th April, 1989.

Assembly Hall  
Panaji.  
18th April, 1989.

S. H. HAROON  
Minister for Law

M. M. NAIK  
Secretary to the Legislative  
Assembly of Goa.

(Annexure to Bill No.15 of 1989)

The Goa Civil Courts (Amendment) Bill, 1989

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The Goa, Daman and Diu Civil Courts Act, 1965

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24. *Power to invest Civil Judges with small cause powers.*—

(1) The High Court may invest any Civil Judge with the jurisdiction of a Court of small Causes for the trial of suits cognizable by such courts up to such amount as it may deem proper, not exceeding in the case of a Senior Civil Judge one thousand and five hundred rupees and in the case of Junior Civil Judge five hundred rupees.

(2) A Senior Civil Judge or a Junior Civil Judge who is invested with the jurisdiction of a Court of Small Causes under sub-section (1) shall continue to have such jurisdiction so long and as often as he may fill the office of Senior Civil Judge or Junior Civil Judge as the case may be, without reference to the place in which he may be employed.

(3) The High Court may, whenever it thinks fit, withdraw such jurisdiction from any Civil Judge so invested.

33. *Sittings of Courts.*—The District and Subordinate Courts shall sit from day to day except on closed holidays notified by the High Court under section 21 of the Goa, Daman and Diu (Judicial Commissioner's Court) Regulation, 1963.

Assembly Hall,  
Panaji,  
18th April, 1989.

M. M. NAIK  
Secretary to the Legislative  
Assembly of Goa.