



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**THE GOA CIVIL COURTS (AMENDMENT)  
BILL, 2009.**

**(Bill No. 25 of 2009)**

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**(As passed by the Legislative Assembly of the State of Goa)**

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**GOA LEGISLATURE SECRETARIAT  
ASSEMBLY HALL, PORVORIM, GOA  
3rd, AUGUST, 2009.**

# The Goa Civil Courts (Amendment) Bill, 2009.

( BILL No. 25 OF 2009 )

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BILL

*further to amend the Goa, Daman and Diu Civil Courts Act, 1965 (Act 16 of 1965).*

BE it enacted by the Legislative Assembly of Goa in the Sixtieth 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, 2009.

(2) It shall come into force at once.

**2. Amendment of title.**— In the title "*the Goa, Daman and Diu Civil Courts Act (Act 16 of 1965)*", (hereinafter referred to as the "*principal Act*"), the figure and words, "*Daman and Diu*" shall be deleted.

**3. Amendment of section 1.**— In section 1 of the principal Act,-

(i) In sub-section (1), the figure and words, "*Daman and Diu*" shall be deleted;

(ii) In sub-section (2), for the expression "*Union Territory of Goa, Daman and Diu*", the words "*State of Goa*" shall be substituted;

(iii) In sub-section (3), for the word "*Administrator*", the word "*Government*" shall be substituted;

**4. Amendment of section 2.**— In section 2 of the principal Act,—

(i) for clause (a), the following clause shall be substituted, namely:—

“ (a) “ **Government** ” means the Government of Goa;”

(ii) for clause (b), the following clause shall be substituted, namely:—

“ (b) “ **High Court** ” means the High Court of Bombay at Panaji;”

(iii) in clause (c), the figure and words, “ **Daman and Diu** ” shall be deleted;

(iv) for clause (d), the following clause shall be substituted, namely:—

“(d) “ **State** ” means the “ State of Goa.”

**5. Amendment of section 3.**— In section 3 of the principal Act,—

(i) for the words “ **whole of the Union Territory** ”, the words “ **each District of State of Goa** ” shall be substituted;

(ii) for the word “ **Administrator** ” wherever it occurs, the word “ **Government** ” shall be substituted.

**6. Amendment of section 4.**— In section 4 of the principal Act,—

(i) for the words “ **at Panjim** ”, the words “ **at Panaji or Margao, as the case may be**,” shall be substituted.

(iii) for the words “ **Union Territory** ”, the words “ **State of Goa** ” shall be substituted.

**7. Amendment of section 7.** — In section 7 of the principal Act, for the expression “ **Goa, Daman and Diu (Judicial Commissioner's Court) Regulation, 1963**”, the expression “ **Part IV of the Goa, Daman and Diu Reorganisation Act, 1987 (Central Act 18 of 1987)**” shall be substituted.

**8. Amendment of sections 8 and 9.**— In section 8 and 9 of the principal Act, for the word “ **Administrator** ” wherever it occurs, the word “ **Government** ” shall be substituted.

**9. Omission of sections 10, 11, 12, 13 and 14.**— The sections 10, 11, 12, 13 and 14 of the principal Act shall be omitted.

**10. Amendment of sections 15, 16, 17, 18 and 19.**— In sections 15, 16, 17, 18 and 19 of the principal Act, for the word “ **Administrator** ” wherever it occurs, the word “ **Government** ” shall be substituted.

**11. Amendment of section 20.**— In section 20 of the principal Act, in sub-section (3), for the words “ **one Lakh rupees**”, the words “ **twenty Lakhs rupees**” shall be substituted.

**12. Insertion of new section 20A.**— After section 20 of the principal Act, the following section shall be inserted, namely:—

“ **20A.- Transfer of pending appeals before the High Court.**— All appeals which are valued upto Rupees Twenty lakhs or below and pending before the High Court immediately before the commencement of the Goa Civil

*Courts (Amendment) Act, 2009, shall, on such commencement stand transferred to the concerned District Court and such District Court may proceed to deal with such appeals from the stage which was reached before such transfer or from any earlier stage or de-novo as such District Court may deem fit:*

*Provided that this section will not apply to any appeals which are pending before the High Court and which are statutorily provided under the relevant Act before the High Court."*

13. Amendment of section 21.— In section 21 of the principal Act, for the word "**administrator**" wherever it occurs, the word "**Government**" shall be substituted.

14. Amendment of section 22.— In section 22 of the principal Act, for the word "**one Lakh**", the words "**twenty Lakhs**" shall be substituted.

15. Amendment of section 23.— In section 23 of the principal Act, the word "**Administrator**" wherever it occurs, the word "**Government**" shall be substituted.

16. Omission of section 24.— The section 24 of the principal Act, shall be omitted.

17. Amendment of section 25.— In sub-section (1) of the principal Act, the word "**Administrator**" the word "**Government**", shall be substituted.

18. Amendment of section 26.— In section 26 of the principal Act.—

(i) in sub-section(1), for the expression "**Administrator of the Government of Goa, Daman and Diu**", the expression "**Government of Goa**" shall be substituted.

(ii) in proviso, for the word "**administrator**", the word "**Government**" shall be substituted.

19. Amendment of section 27.— In section 27 of the principal Act,—

(i) in sub-section (1), for the expression "**District Court of Goa, Daman and Diu**", the expression "**District Court of .....**" shall be substituted.

(ii) in sub-section(2), the words "**and Assistant Judge**" shall be omitted.

20. Amendment of section 28.— In section 28 of the principal Act, in sub-section (1),-

(i) after the expression "**if any or in his absence**", the expression "**the senior most Assistant Judge if any or**" shall be omitted.

(ii) after the expression "**designated Additional District Judge**", the figure and words, "**Assistant Judge**" shall be omitted.

21. Amendment of section 29.— In section 29 of the principal Act,-

(i) for the expression "**or the Assistant Judge, or in the absence of an Assistant Judge**", the expression "**or in absence of Additional District Judge to a Senior Civil Judge**" shall be substituted.

(ii) after the words "**designated Additional District Judge**", the figure and words, "**Assistant**" shall be omitted.

**22. Amendment of section 35.**— In section 35 of the principal Act, for the words "**Union Territory**", the words "**State of Goa**" shall be substituted.

**23. Amendment of section 36.**— In section 36 of the principal Act,

(i) for the word "**Administrator**", the word "**Government**" shall be substituted.

(ii) for the words "**to him**", the word "**to the Government**" shall be substituted.

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