



The Karnataka Civil Courts Act, 1964

Act 21 of 1964

Keyword(s):

Civil Court, District, High Court

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STATEMENTS OF OBJECTS AND REASONS

I

Act 21 of 1964.—There are at present five different enactments in force in the five Areas of the Mysore State to regulate the constitution, powers and jurisdiction of civil courts. It is proposed to have a uniform law on the subject. Hence this Bill.

The following are the salient features of the Bill, namely:—

- (1) provision for three classes of Civil Courts subordinate to the High Court, namely:—
 - (i) the Court of the District Judge called the District Court;
 - (ii) the Court of the Civil Judge; and
 - (iii) the Court of the Munsiff;
- (2) provision for the establishment of a District Court for each district or more than one district and for treating the City of Bangalore as a district;
- (3) provision for the establishment of a Court of a Civil Judge for each district; or for part of a district or for more than one district;
- (4) provision for fixing and varying by the High Court with the approval of the State Government, the number of Civil Judges and Munsiffs to be appointed to the Court of a Civil Judge or Munsiff's Court;
- (5) provision empowering the State Government to fix the locality of courts in consultation with the High Court;
- (6) provision for treating the Courts of Civil Judges (Senior Division) in the Bombay Area, the Courts of Civil Judges in the Mysore Area; and the Courts of Subordinate Judges, as Courts of Civil Judges; and for treating the Courts of Civil Judges (Junior Division) in the Bombay Area, the Courts of District Munsiffs in the Madras Area and the Courts of Munsiffs in the other Areas, as Munsiffs' Courts;

(7) conferment of unlimited pecuniary jurisdiction on the Court of a Civil Judge in respect of all original suits and proceedings of a civil nature;

(8) provision for conferment of jurisdiction on the Munsiff's Court in respect of all suits and proceedings of a civil nature of which the amount or value of the subject matter does not exceed five thousand rupees and on the recommendation of the High Court, the jurisdiction of any Munsiff's Court may be extended by the State Government to all original suits and proceedings of a civil nature, the value of the subject matter of which does not exceed ten thousand rupees;

(9) provision for appeals from decrees and orders passed by a Munsiff to the District Court; and transfer by the District Judge to the Court of the Civil Judge within this jurisdiction of appeals the value of the subject matter of which does not exceed five thousand rupees;

(10) provision empowering the High Court to invest any Judge of a Court of Small Causes with powers to hear appeals from such decrees and orders of Munsiffs' Courts as may be referred by the District Judge;

(11) provision empowering the High Court to invest the Court of a Civil Judge and the Court of a Munsiff with small cause powers, not exceeding two thousand rupees in the case of a Court of a Civil Judge and not exceeding five hundred rupees in the case of a Court of a Munsiff.

(Published in the Karnataka Gazette (Extraordinary) Part IV—2-A, dated 7th June 1962 at page. 154–155).

II

Act 11 of 1965.—Representations have been received from the Bar Associations in the Bombay Area requesting amendment of the Mysore Civil Courts Act, 1964, to provide for transfer of appeals from decrees passed by Civil Judges (Junior Division) pending before District Courts to the Courts of Civil Judges. The High Court has also suggested amendment of the Act for the purpose.

Hence this Bill.

(Published in the Karnataka Gazette (Extraordinary) Part IV-2A, dated 27th March 1965, as No. 69 at page. 3.)

III

Act 81 of 1976.—According to the Civil Courts Act, 1964, appeals from decisions of Munsiffs lie to the Courts of Civil Judges. The Civil Judges are invested in addition, with unlimited jurisdiction in civil matters of the value exceeding Rs. 10,000. They are also invested with trial of cases under the Land Acquisition Act and the Hindu Marriage Act. Consequently, there is heavy pendency in these courts.

In order that the pendency of the said appeals is reduced, and also in order that sufficient work is provided to such of the District Courts, which (in some Districts) have not much work, it is proposed to amend the Act and provide that appeals from decision of Munsiffs where the value of the subject matter is more than five thousand rupees shall lie to the District Courts.

Small cause jurisdiction of Small Causes Judges has recently been enhanced to Rs. 3,000. It is proposed to enhance similar jurisdiction of Civil Judges invested with small cause powers also to Rs. 3,000.

Courts of Civil Judges are generally located in district headquarters. It causes hardship to the litigant public to approach these courts to obtain succession certificate until the Indian Succession Act for small sums of money. In order to obviate this, it is proposed to empower the High Court to invest Civil Judges, Munsiffs with this powers.

To overcome certain working difficulties experienced of making in charge arrangements during the temperate absence of officers, and during summer vacation, amendments are proposed to sections 25, 26 and 28.

It is also proposed to repeal the provisions relating to village courts and nyaya panchayats under the Madras Village Courts Act, 1888, the Mysore Village Courts Act, 1913 and the Bombay Village Panchayat Act, 1933.

Opportunity is taken to incorporate certain other consequential amendments.—

(Published in the Karnataka Gazette (Extraordinary) Part IV-2A, dated 8th November 1976 as No. 4421 at page. 7–8.)

IV

Act 8 of 1978.—Section 23 of the Karnataka Civil Courts Act, 1964 empowers the High Court to invest a Civil Judge with all or any powers of the District Judge under several enactments. One of these is the Indian Succession Act, 1925 (Central Act 39 of 1925). As it was felt that the power to issue succession certificates and probates or letters of Administration should be given to the Munsiffs also in addition to the Civil Judges, in the interest of the litigant public residing in the moffusil areas, new section 23-A was inserted by the section 5 of the Karnataka Civil Courts (Amendment) Act, 1976 and as a corollary section 23 (1) (iv) of the Civil Courts Act and section 265 and 388 of the Indian Succession Act were repealed.

The Karnataka Civil Courts (Amendment) Act, 1976 which has been assented to by the Governor has not yet come into force. The High Court is of the view that as the amendment Act has amended the Indian Succession Act, it requires the assent of the President and as the same has not been obtained the said Act is void.

State Government is of the opinion that Presidents' assent to the amendments is not necessary as what has been amended by sections 4 and 5 of the amendment Act is the Civil Courts Act and not the Succession Act and omission of the provisions of the Succession Act by section 10 of the Amendment Act is only a consequential amendment.

However, in view of High Court's opinion and the harassment that may result to the litigant public should the said provisions be struck down, it is proposed to omit the said three sections 4, 5 and 10, and to bring the rest of the provisions into force at once.

Since the Legislative Assembly was not in session an Ordinance was promulgated. This Bill seeks to replace the said Ordinance.

(Published in the Karnataka Gazette (Extraordinary) Part IV-2A, dated 20th March 1978 as No. 276 at page. 3.)

V

Act 28 of 1978.—The Karnataka Civil Courts Act at present permits the High Court to invest only Civil Judges with the powers of District Judges under the Indian Succession Act. The amendments proposed by the Bill seek to empower the High Court to invest Munsiffs too with the said powers. A provision has also been made for appeal to the Civil Judge against the order passed by the Munsiff and to the District Court where the order is passed by a Civil Judge. The other amendments are consequential amendments. The High Court has agreed to the proposal.

Hence the Bill.

(Published in the Karnataka Gazette (Extraordinary) Part IV-2A, dated 1st August 1978 as No.1098 at page. 3.)

VI

Act 13 of 1980.—City Civil Courts are functioning in the Metropolitan Cities of Bombay, Madras, Calcutta, Hyderabad and Ahmedabad. The High Court is of the opinion that a City Civil Court on the pattern of the City Civil Courts functioning in the other cities above-named may be constituted for the City of Bangalore also. When such a City Civil Court is constituted, the Sessions Judge will deal exclusively with criminal work and the supervision of the work of the Magistrates' Courts. As there will be an appeal only to the High Court against the decision of the City Civil Court, this would not only minimise the delay in disposal of cases but also reduce the cost of litigation.

The Government have therefore, considered it necessary to constitute a City Civil Court for the City of Bangalore. It is also proposed to abolish vacation in civil courts.

Hence this Bill.

(Published in the Karnataka Gazette (Extraordinary) Part IV-2A, dated 16th May 1979 as No.473 at page. 14.)

VII

Act 11 of 1981.—In view of the heavy arrears of cases in the Subordinate Civil Courts, it was considered necessary to increase the number of working days of all such courts. Accordingly, the vacation to all such courts was reduced from 60 days to 30 days by amending the relevant provisions in the Karnataka Civil Courts Act, 1964 and the Karnataka Small Cause Courts Act, 1964. In the Bangalore City Civil Court Act, 1979, the duration of vacation for the City Civil Court, Bangalore City was also fixed at 30 days.

There have been a spate of representations from the various Bar Associations in the State protesting against the reduction of vacation for these courts and they have been requesting the Government for restoration of vacation to the Subordinate Courts to the full period of 60 days as before.

Further, the subordinate Courts in the neighbouring State of Tamil Nadu, Andhra Pradesh and Kerala have vacations during summer, winter and Dasara totalling nearly 60 days or even more.

In view of the repealed requests from the several Bar Associations in the State for the restoration of vacation to the full period of 60 days and in view of the recommendation made by the High Court in this behalf, it is considered necessary that the vacation for the Civil Courts may be restored to 60 days, instead of 30 days, as before.

Hence the Bill.

(Published in the Karnataka Gazette (Extraordinary) Part IV-2A, dated 28th March 1981 as No. 209 at page. 3.)

VIII

Act 26 of 1985.—With a view to provide uniform provision regarding vacations in the Karnataka Small Cause Courts Act, 1964, the Karnataka Civil Courts Act, 1964 and the Bangalore City Civil Courts Act, 1979, it is considered necessary to amend the relevant sections of the said Acts. Opportunity is also taken to make provisions for appointment of Vacation Judges in the Karnataka Small Causes Court Act and other consequential changes.

Hence the Bill.

(Published in the Karnataka Gazette (Extraordinary) Part IV-2A, dated 26th July 1985 as No. 400 at page. 6.)

IX

Act 13 of 1989.—The pecuniary jurisdiction of the Courts of Munsiffs, Courts of small causes and of District court was fixed long back, at a time when the value of properties was far below their present value. In view of the appreciable increase in the value of properties, more and more litigants are forced to approach higher courts, instead of the lower courts as before, for getting necessary reliefs.

Keeping in view the increase in the value of the properties, decrease in rupee value and increase in banking and business activities, it is proposed to increase the pecuniary jurisdiction of courts as follows:—

Munsiffs Courts—From Rs. 10,000/- to Rs. 50,000/-

Courts of Small Causes—From Rs. 10,000/- to Rs. 25,000/-

District Courts, in relation to appeals—From Rs. 20,000/- to Rs. 1,00,000/-

Hence the Bill.

(Published in the Karnataka Gazette (Extraordinary) Part IV-2A, dated 30th May 1988 as No. 351 at page. 4.)

X

Act 3 of 1994.—It is considered necessary to enhance the pecuniary jurisdiction of the Civil Judges and Munsiffs, who are invested with the jurisdiction to try suits cognizable by a Small Causes Court under Section 22 of the Karnataka Civil Courts Act, 1964, from rupees three thousand to twenty-five thousand in the case of the Court of Civil Judges and from rupees five hundred to three thousand in the case of Munsiff's Court.

The Karnataka Civil Courts (Amendment) Ordinance, 1993 was promulgated for the above purpose. This Bill seeks to replace the said Ordinance.

Hence the Bill.

(Obtained from L A Bill No. 26 of 1993 File No. LAW 64 LGN 93.)

XI

Act 16 of 1996.—One of the directive of the Supreme Court of India, in its judgement dated the 24th August, 1993 in the All India Judges Association *versus* the Union of India and others, is to bring about uniformity in the designations of judicial officers both in the Civil and Criminal sides.

In order to implement the decision of the Supreme Court, it is necessary to amend the Karnataka Civil Courts Act, 1964, suitably.

Hence the Bill.

(Obtained from L A Bill No. 19 of 1996, File No. DPAL 8 LGN 96.)

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¹[KARNATAKA ACT]¹ No. 21 OF 1964

(First published in the ¹[Karnataka Gazette]¹ on the Ninth day of April, 1964.)

THE ¹[KARNATAKA]¹ CIVIL COURTS ACT, 1964.

(Received the assent of the President on the Twenty-eighth day of March, 1964.)

(As amended by Karnataka Acts 11 of 1965, 81 of 1976, 8 of 1978,
28 of 1978, 13 of 1980, 11 of 1981, 26 of 1985, 13 of 1989, 3 of 1994,
16 of 1996.)

An Act to provide for a uniform law relating to the constitution, powers and jurisdiction of the Civil Courts in the ¹[State of Karnataka]¹ subordinate to the ¹[High Court of Karnataka]¹.

WHEREAS it is expedient to provide for a uniform law relating to the constitution, powers and jurisdiction of the Civil Courts in the ¹[State of Karnataka]¹ subordinate to the ¹[High Court of Karnataka]¹;

BE it enacted by the ¹[Karnataka State]¹ Legislature in the Fourteenth Year of the Republic of India as follows:—

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 01.11.1973.

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the ¹[Karnataka]¹ Civil Courts Act, 1964.

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 01.11.1973.

(2) It extends to the ¹[whole of State of Karnataka except the City of Bangalore.]¹

1. Substituted by Act 13 of 1980 w.e.f. 17.11.1980 by notification. Text of notification is at the end of the Act.

(3) It shall come into force on such ¹[date]¹ as the State Government may, by notification, appoint.

1. The Act come into force w.e.f. 1.7.1964 by notification. Text of the notification is at the end of the Act.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) “appointed day” means the date notified under sub-section (3) of section 1;

¹[(aa) “City of Bangalore” shall have the meaning assigned to it in the Bangalore City Civil Court Act, 1979;]¹

1. Inserted by Act 13 of 1980 w.e.f. 17.11.1980.

(b) “Civil Court” means a District Court, ¹[Court of a Civil Judge (Senior Division)]¹ or a ¹[Court of a Civil Judge (Junior Division);]¹

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

(c) “district” means a revenue district or such local area as may be notified by the State Government to be a district for the purposes of this Act;

¹[**Explanation.**—For the purpose of this clause Bangalore revenue district shall be exclusive of the City of Bangalore.]¹

1. Substituted by Act 13 of 1980 w.e.f. 17.11.1980.

(d) “High Court” means the High Court of the ¹[State of Karnataka]¹

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 01.11.1973.

- (e) “notification” means a notification published in the official Gazette;
 (f) “prescribed” means prescribed by rules made under this Act.

CHAPTER II

ESTABLISHMENT AND CONSTITUTION OF CIVIL COURTS

3. Class and designation of Civil Courts.—There shall be three classes of Civil Courts subordinate to the High Court, namely, (1) the District Court; (2) the ¹[Court of Civil Judge (Senior Division)]¹; and (3) the ¹[Court of Civil Judge (Junior Division)]¹.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

4. Establishment of a District Court for a district.- (1) There shall be a District Court for each district:

Provided that the State Government may, in consultation with the High Court, establish a District Court, for more than one district.

(2) Each District Court shall be presided over by a District Judge.

5. Appointment of Additional District Judges.- (1) The State Government may, on the recommendation of the High Court, appoint one or more Additional District Judges to a District Court for such period as it may deem necessary.

(2) The Additional District Judge so appointed shall, subject to the general or special orders of the High Court, discharge all or any of the functions of the District Judge under this Act, or any other law for the time being in force, which the District Judge may assign to him, and in the discharge of those functions, he shall exercise the same powers as the District Judge.

6. Establishment of ¹[Courts of Civil Judges (Senior Division)]¹.- (1) There shall be a ¹[Court of Civil Judge (Senior Division)]¹ for each district:

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

Provided that the State Government may, in consultation with the High Court, establish such a Court for part of a district, or for more than one district, as the case may be.

(2) Each ¹[Court of Civil Judge (Senior Division)]¹ shall be presided over by a ¹[Civil Judge (Senior Division)]¹.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

7. Establishment of ¹[Courts of a Civil Judges (Junior Division)]¹.—(1) There shall be in each district such number of ¹[Courts of Civil Judges (Junior Division)]¹ as may be fixed by the State Government, in consultation with the High Court.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

(2) Each ¹[Court of Civil Judge (Junior Division)]¹ shall be presided over by a ¹[Civil Judge (Junior Division)]¹.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

8. Number of ¹[Civil Judges (Senior Division)]¹ and ¹[Civil Judges (Junior Division)]¹ to the ¹[Court of a Civil Judges (Senior Division)]¹ or ¹[Civil Judge (Junior Division)]¹.—The State Government, may, in consultation with, the High Court

fix and from time to time vary, by notification, the number of ¹[Civil Judge (Senior Division)]¹ to be appointed for the Court of a ¹[Civil Judge (Senior Division)]¹ and the number of ¹[Civil Judges (Junior Division)]¹ to be appointed for a ¹[Court of a Civil Judge (Junior Division)]¹.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

9. Distribution of work when more than one Judge is appointed to a Court.—(1) When more than one ¹[Civil Judge (Senior Division)]¹ is appointed to the ¹[Court of a Civil Judge (Senior Division)]¹, or more than one ¹[Civil Judge (Junior Division)]¹ is appointed to a ¹[Court of a Civil Judge (Junior Division)]¹, one of the ¹[Civil Judges (Senior Division)]¹ or one of the ¹[Civil Judge (Junior Division)]¹, shall be appointed as the Principal ¹[Civil Judges (Senior Division)]¹ or the Principal ¹[Civil Judge (Junior Division)]¹ and the others Additional ¹[Civil Judges (Senior Division)]¹ or Additional ¹[Civil Judges (Junior Division)]¹, as the case may be.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

(2) Each of the Judges appointed to the ¹[Court of a Civil Judge (Senior Division)]¹ or a ¹[Court of a Civil Judge (Junior Division)]¹ may exercise all or any of the powers conferred on such Court by this Act or any other law for the time being in force.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

(3) Subject to the general or special orders of the District Judge, the Principal ¹[Civil Judge (Senior Division)]¹ or the Principal ¹[Civil Judge (Junior Division)]¹ may, from time to time, make such arrangements as he thinks fit, for the distribution of the business of the Court among the various ¹[Civil Judges (Senior Division)]¹ or ¹[Civil Judges (Junior Division)]¹ thereof.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

10. Locality of Courts.- (1) The place or places at which every Civil Court under this Act shall be held shall be fixed and may from time to time be altered, by the State Government in consultation with the High Court.

(2) The places at which the said Courts are being held immediately prior to the appointed day, shall, until an order is made under sub-section (1), be deemed to be the places fixed under sub-section (1).

(3) The places fixed for any Court under this section shall be deemed to be within the local limits of the jurisdiction of that Court.

11. Seal of Courts.—Every Civil Court under this Act, shall use a seal which shall bear thereon the ¹[Karnataka State Emblem]¹ and shall be in such form, of such dimensions and with the name of the Court in such language, as the State Government may, by order, determine:

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 01.11.1973.

Provided that the seals in use in every such Civil Court immediately prior to the appointed day may continue to be used until an order is made by the State Government under this section.

12. Existing Courts to be deemed to be Courts established under this Act.—(1) The District Courts existing immediately prior to the appointed day shall be deemed to be District Courts established under this Act, until they are reconstituted in accordance with this Act.

(2) The following Courts existing in the State immediately prior to the appointed day, namely:—

(a) the Courts of Civil Judges (Senior Division) in the ¹[Belgaum Area]¹;

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 01.11.1973.

(b) the Courts of Civil Judges in the Mysore Area, and

(c) the Courts of Subordinate Judges,

shall be deemed to be Courts of Civil Judges established under this Act.

(3) The following Courts existing immediately prior to the appointed day, namely:—

(a) the Courts of Civil Judges (Junior Division) in the ¹[Belgaum Area]¹,

(b) the Courts of Munsiffs in the Mysore Area, the ¹[Gulbarga Area]¹ and the Coorg District, and

(c) the Courts of District Munsiffs in the ¹[Mangalore and Kollegal Area]¹,

-shall be deemed to be Munsiff's Court established under this Act.

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 01.11.1973.

CHAPTER III

JURISDICTION

13. Local limits of jurisdiction.—(1) The State Government shall, in consultation with the High Court, and subject to the provisions of section 4 and section 6 of this Act, fix and may from time to time vary, by notification, the local limits of the jurisdiction of any District Court or ¹[Court of Civil Judge (Senior Division)]¹ under this Act.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

(2) The State Government shall, in consultation with the High Court, fix and may from time to time vary by notification the local limits of jurisdiction of any ¹[Court of a Civil Judge (Junior Division)]¹ under this Act.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

(3) Until notifications are issued under sub-section (1) or sub-section (2), the existing local limits of jurisdiction of every Civil Court shall be deemed to have been fixed under this Act.

¹[(4) Where the local limits of the jurisdiction of any District Court, Court of ²[Civil Judge (Senior Division)]² or ²[Court of a Civil Judge (Junior Division)]² is varied by a notification issued under sub-section (1) or sub-section (2), the High Court may make such orders as it may consider necessary for the transfer of suits, applications, appeals and other proceedings pending in any such court.]¹

1. Inserted by Act 13 of 1980 w.e.f. 17.11.1980.

2. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

14. Jurisdiction of District Court.—(1) The District Court shall be deemed to be the principal Civil Court of original jurisdiction within the local limits of its jurisdiction.

(2) Subject to the provisions of the Code of Civil Procedure, 1908 (Central Act 5 of 1908), the jurisdiction of a District Court shall extend to all original suits and proceedings of a civil nature.

15. Control of subordinate courts by District Court.—The District Court shall, subject to the general control of the High Court, have control over all other Civil Courts within the local limits of its jurisdiction.

16. Jurisdiction of ¹[Civil Judge (Senior Division)]¹.—The jurisdiction of the ²[Court of Civil Judge (Senior Division)]² shall extend to all original suits and proceedings of a civil nature.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.
2. Substituted by Act 13 of 1989 w.e.f. 17.4.1989.

17. Jurisdiction of ¹[Civil Judge (Junior Division)]¹.—The jurisdiction of a ¹[Court of Civil Judge (Junior Division)]¹ shall extend to all original suits and proceedings of a civil nature, not otherwise excluded from the ¹[Civil Judge's (Junior Division)]¹ jurisdiction, of which the amount or value of the subject-matter does not exceed ²[fifty thousand rupees.]²

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.
2. Substituted by Act 13 of 1989 w.e.f. 17.4.1989.

18. Appeals from District Courts.—Appeals from the decrees and orders passed by a District Court in original suits and proceedings of a civil nature shall, when such appeals are allowed by law, lie to the High Court.

19. Appeals from ¹[Civil Judge (Senior Division)]¹.—Appeals from the decrees and orders passed by a ¹[Civil Judge (Senior Division)]¹ in original suits and proceedings of a civil nature, shall, when such appeals are allowed by law, lie,—

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

(1) to the District Court, when the amount or value of the subject-matter of the original suit or proceeding is less than ¹[one lakh rupees]¹;

1. Substituted by Act 13 of 1989 w.e.f. 17.4.1989.

(2) to the High Court, in other cases.

¹[20. Appeals from ¹[Civil Judge (Junior Division)]¹.— Appeals from the decrees and orders passed by a ¹[Civil Judge (Junior Division)]¹ in original suits and proceedings of a civil nature, shall, when such appeals are allowed by law, lie to the ¹[Court of the Civil Judge (Senior Division)]¹.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

* This section is substituted by Act 81 of 1976 as follows but not yet brought into force.

20. Appeals from Civil Judge (Junior Division).— (1) Appeals from the decrees and orders passed by a ¹[Civil Judge (Junior Division)]¹ in original suits and proceedings of a civil nature, shall, when such appeals are allowed by law, lie,—

- (i) to the Court of the ¹[Civil Judge (Senior Division)]¹, when the amount or value of the subject matter of the original suit or proceedings is not more than five thousand rupees;
- (ii) to the District Court, in other cases.

(2) Notwithstanding anything contained in sub-section (1), but subject to the general or special orders of the High Court, the District Court may, at any stage, withdraw any appeal pending before a Court of the ¹[Civil Judge (Senior Division)]¹ subordinate to it and dispose of the same, and in respect of such appeal, the District Court shall, for the purpose of this Act, be deemed to be the competent appellate Court]³

21. Appellate jurisdiction of the Judge of Court of Small Causes.—The High Court may, by notification, invest any Judge of the Court of Small Causes established under the ²[Karnataka]² Small Causes Courts Act, 1964, with powers to hear appeals

from such decrees and orders of ¹[Courts of a Civil Judges (Junior Division)]¹ as may be referred to him by the District Judge.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

2. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 01.11.1973.

22. Power to invest the Court of the ¹[Civil Judge (Senior Division)]¹ and the ¹[Court of a Civil Judge (Junior Division)]¹ with Small Cause powers.—(1) The High Court, may, by notification, invest within such limits, as it shall, from time to time, determine, any ¹[Court of a Civil Judge (Senior Division)]¹ or a ¹[Court of a Civil Judge (Junior Division)]¹ with jurisdiction for the trial of suits cognizable by a Court of Small Causes up to such amount as it may deem proper not exceeding in the case of a ¹[Court of a Civil Judge (Senior Division)]¹ ²[³twenty-five thousand]³ rupees]², and in the case of ¹[Court of a Civil Judge (Junior Division)]¹, ³[three thousand]³ rupees.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

2. Substituted by Act 81 of 1976 w.e.f. 1.10.1978 by notification. Text of the notification is at the end of the Act.

2. Substituted by Act 3 of 1994 w.e.f. 29.4.1993.

(2) The High Court, may, by notification, withdraw or alter, whenever it thinks fit, such jurisdiction of any Court of the ¹[Civil Judge (Senior Division)]¹ or ¹[Court of a Civil Judge (Junior Division)]¹ so invested.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

23. Power to invest ¹[Civil Judge (Senior Division)]¹ with jurisdiction under certain Acts.—(1) The High Court may, by notification, invest any ¹[Civil Judge (Senior Division)]¹ within such local limits and subject to such pecuniary limitation as may be specified in such notification, with all or any of the powers of a District Judge or a District Court, as the case may be, under the following Acts, namely:—

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

(i) The Indian Divorce Act, 1869 (Central Act 4 of 1869);

(ii) The Guardians and Wards Act, 1890 (Central Act 8 of 1890);

(iii) The Indian Lunacy Act, 1912 (Central Act 4 of 1912);

¹[(iv) x x x]¹

1. Omitted by Act 28 of 1978 w.e.f. 1.2.1979 by notification. Text of the notification is at the end of the Act.

(v) The Special Marriage Act, 1954 (Central Act 43 of 1954).

(2) Every order made by a ¹[Civil Judge (Senior Division)]¹ by virtue of the powers conferred upon him under sub-section (1) shall be subject to appeal,—

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

(i) to the District Court, when the amount or value of the subject matter is less than twenty thousand rupees;

(ii) to the High Court, in other cases.

(3) Every order of the District Judge passed on appeal under sub-section (2) from the order of a ¹[Civil Judge (Senior Division)]¹ shall be subject to an appeal to the High Court under the rules contained in the Code of Civil Procedure, 1908, applicable to appeals from appellate decrees.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

¹[23A. Investiture of subordinate courts with jurisdiction of District Court under the Indian Succession Act, 1925.—(1) The High Court may, by notification, invest any ¹[Civil Judge (Senior Division)]¹ or ¹[Civil Judge (Junior Division)]¹, within such local limits and subject to such pecuniary and other limitations as may be specified in such notification, with all or any of the powers of a District Judge under the Indian Succession Act, 1925 (Central Act 39 of 1925).

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

(2) Any ¹[Civil Judge (Senior Division)]¹ or ¹[Civil Judge (Junior Division)]¹ invested with powers under sub-section (1) shall have concurrent jurisdiction with the District Judge in the exercise of the powers conferred by the said Act upon the District Judge, and the provisions of the said Act relating to the District Judge shall apply to such ¹[Civil Judge (Senior Division)]¹ or ¹[Civil Judge (Junior Division)]¹, as the case may be, as if he were the District Judge:

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

Provided that every order made by the ¹[Civil Judge (Senior Division)]¹ or the ¹[Civil Judge (Junior Division)]¹ by virtue of the powers conferred upon him under sub-section (1) shall be subject to appeal,—

(i) to the Court of ¹[Civil Judge (Senior Division)]¹ when the order is passed by the ¹[Civil Judge (Junior Division)]¹;

(ii) to the District Court where the order is passed by a ¹[Civil Judge (Senior Division)]¹.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

(3) Every order passed on appeal under the proviso to sub-section (2) shall be subject to appeal to the High Court under the rules contained in the Code of Civil Procedure, 1908, applicable to appeals from appellate decrees.]¹

1. Section 23A Inserted by Act 28 of 1978 w.e.f. 1.2.1979.

24. Judges not to try suits in which they are interested; nor to try appeals from decrees passed by them in other capacities.—(1) No District Judge, ¹[Civil Judge (Senior Division)]¹ or ¹[Civil Judge (Junior Division)]¹ shall try any suit to or in which he is a party or personally interested, or shall adjudicate upon any proceedings connected with or arising out of such suit.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

(2) No District Judge, ¹[Civil Judge (Senior Division)]¹ or Judge of the Court of Small Causes shall try any appeal against any decree or order passed by himself in any other capacity.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

(3) When any such suit, proceeding or appeal comes before any such Judge or ¹[Civil Judge (Junior Division)]¹, he shall report the circumstances to the Court to which he is immediately subordinate.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

(4) The superior Court shall thereupon dispose of the case in the manner prescribed by section 24 of the Code of Civil Procedure, 1908 (Central Act 5 of 1908).

CHAPTER IV
MISCELLANEOUS

²**[25. Temporary charge of office of District Judge.]**—(1) In the event of the death, suspension, resignation or removal of the District Judge, or of his being incapacitated from performing his duties by illness or otherwise or of his absence on leave or for any other reason from the place in which his Court is held, the Senior Additional District Judge or the Additional District Judge, as the case may be, or if there be no Additional District Judge, the ¹[Civil Judge (Senior Division)]¹ of the Court at that place if there be only one, and if there be more than one, the Principal ¹[Civil Judge (Senior Division)]¹ and if such Principal ¹[Civil Judge (Senior Division)]¹ is absent, the Additional ¹[Civil Judge (Senior Division)]¹ present thereof, shall, without relinquishing his ordinary duties, assume charge of the District Court and shall continue in charge thereof until the same is assumed by the District Judge or by a Judge duly appointed thereto.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.
2. Section 25 and 26 substituted by Act 81 of 1976 w.e.f. 1.10.1978.

(2) While in charge of the District Court, under sub-section (1), the Senior Additional District Judge, the Additional District Judge, the Principal ¹[Civil Judge (Senior Division)]¹, the Additional ¹[Civil Judge (Senior Division)]¹ or the ¹[Civil Judge (Senior Division)]¹, as the case may be, shall, subject to the general or special orders of the High Court issued in this behalf, exercise all the powers and perform all the duties of the District Judge.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

26. Transfer of proceedings on vacation of office by ¹[Civil Judge (Senior Division)]¹ or ¹[Civil Judge (Junior Division)]¹.—(1) In the event of the death, suspension, resignation or removal of a ¹[Civil Judge (Senior Division)]¹ or ¹[Civil Judge (Junior Division)]¹ or of his being incapacitated by illness or otherwise from performing his duties or of his absence on leave or for any other reason from the place at which the court is held, the District Judge may, subject to the general or special orders of the High Court, withdraw any of the proceedings in the court of such ¹[Civil Judge (Senior Division)]¹ or ¹[Civil Judge (Junior Division)]¹ to his own court or transfer them to any other court under his administrative control, competent to dispose them.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

(2) Proceedings withdrawn or transferred under sub-section (1) shall be disposed of as if they had been instituted in the court to which they had been so withdrawn or transferred.

(3) The District Judge may re-transfer to the Court of ¹[Civil Judge (Senior Division)]¹ or ¹[Civil Judge (Junior Division)]¹ any proceedings withdrawn or transferred under sub-section (1) to his own or any other court.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

(4) For the purpose of proceedings which are not pending in the Court of a ¹[Civil Judge (Senior Division)]¹ or ¹[Civil Judge (Junior Division)]¹ on the occurrence of an event referred to in sub-section (1), and with respect to which that court has exclusive jurisdiction, the District Judge may exercise all or any of the powers and jurisdiction of that Court.]²

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

2. Section 25 and 26 substituted by Act 81 of 1976 w.e.f. 1.10.1978.

27. Power of High Court to make rules.—(1) The High Court may, after previous publication, by notification, make rules consistent with this Act and any other law for the time being in force,—

(a) prescribing the manner in which the proceedings of each Civil Court shall be kept and recorded;

(b) regulating the grant of copies of papers in Civil Courts;

(c) regulating the duties and functions of the ministerial officers of Civil Courts;

(d) declaring what persons shall be permitted to act as petition-writers in the Civil Courts, and regulating the issue of licences to such persons, the conduct of business by them, and the scale of fees to be charged by them;

(e) providing a penalty of such amount not exceeding fifty rupees for breach of any of the rules made under clause (d);

(f) determining the authority by which such breaches of the rules shall be investigated and the penalties imposed.

(2) Every penalty imposed under a rule made under sub-section (1) shall be recovered as if it were a fine imposed by a Magistrate in the exercise of his ordinary jurisdiction.

28. Vacation.—(1) The Civil Courts in the State or in any area of the State shall be closed on such days as may be notified by the State Government as public holidays for the whole State or for such area in the State.

(2) The Civil Courts shall have three vacations in each year, namely, Summer, Dasara and Winter, and the total number of the said three vacations shall not exceed ¹[sixty days]¹ and the High Court shall fix the period of each vacation.

1. Substituted by Act 11 of 1981 w.e.f. 4.4.1981..

(3) Notwithstanding anything contained in this Act or in the Code of Civil Procedure, 1908 (Central Act 5 of 1908),—

(a) the High Court, may, where there are more than one District Judge in any District Court, designate by notification any one of those District Judges as the Vacation District Judge for the duration of the adjournment of any District Court in ¹[any vacation or of any part thereof]¹;

1. Substituted by Act 26 of 1985 w.e.f. 29.4.1985.

³[(b) where there is only one District Judge in any district, the High Court may, by notification, designate such District Judge or appoint a ¹[Civil Judge (Senior Division)]¹ in the district as the Vacation District Judge or the Vacation ¹[Civil Judge (Senior Division)]¹, as the case may be, of the District Court thereof for the duration of the adjournment of such District court in ²[any Vacation or of any part thereof]².

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.
2. Substituted by Act 26 of 1985 w.e.f. 29.4.1985.
3. Substituted by Act 81 of 1976 w.e.f. 1.10.1978.

The High Court may regulate, by special or general order, work to be discharged by the Vacation ¹[Civil Judge (Senior Division)]¹ or the vacation District Judge.]³

1. Substituted by Act 81 of 1976 w.e.f. 1.10.1978.

(4) (a) The local limits of the jurisdiction of the Vacation District Judge or Vacation ¹[Civil Judge (Senior Division)]¹ shall be the same as those of the District Court concerned.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

(b) The jurisdiction of the Vacation ¹[Civil Judge (Senior Division)]¹ shall extend to all suits, appeals and other proceedings pending in, or cognizable by any Civil Court (whether a District Court, a ¹[Court of Civil Judge (Senior Division)]¹ or a ¹[court of Civil Judge (Junior Division)]¹ in the District concerned when such Court is adjourned for ²[any]² Vacation.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.
2. Substituted by Act 26 of 1985 w.e.f. 29.4.1985..

(5) The place at which the Court of the Vacation District Judge or the Vacation ¹[Civil Judge (Senior Division)]¹ shall be held, shall be the same as the place at which the District Court concerned may be held. The Vacation District Judge or the Vacation ¹[Civil Judge (Senior Division)]¹ shall have such administrative control over the staff of the several Civil Courts in the District, as the High Court may, by general or special order determine.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

(6) Notwithstanding the appointment of the Vacation District Judge or the Vacation ¹[Civil Judge (Senior Division)]¹, every Civil Court in the District shall, during the period it is adjourned for ²[any]² vacation, be deemed to be closed for the purposes of section 4 of the Limitation Act, 1963 (Central Act 36 of 1963).

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.
2. Substituted by Act 26 of 1985 w.e.f. 29.4.1985..

(7) On the reopening of the District Court, a ¹[Court of Civil Judge (Senior Division)]¹ or a ¹[Court of a Civil Judge (Junior Division)]¹ after ²[any]² vacation, all suits, appeals and

other proceedings pending in the Court of the Vacation District Judge or Vacation ¹[Civil Judge (Senior Division)]¹ which, but for this section, would have been instituted or pending in such District Court, ¹[Court of Civil Judge (Senior Division)]¹ or ¹[Court of a Civil Judge (Junior Division)]¹, as the case may be, shall stand transferred to such District Court, ¹[Court of Civil Judge (Senior Division)]¹ or ¹[Court of Civil Judge (Junior Division)]¹, and any decree, order or proceeding passed by the Vacation District Judge or the Vacation ¹[Civil Judge (Senior Division)]¹ shall, after such transfer, be deemed to be a decree, order or proceeding passed by the Court concerned.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.
2. Substituted by Act 26 of 1985 w.e.f. 29.4.1985..

(8) Notwithstanding the provisions of sub-section (7), any appeal from the decree or order of the Court of the Vacation District Judge or the Vacation ¹[Civil Judge (Senior Division)]¹ shall, when such appeal is allowed by law, lie to the High Court.

1. Substituted by Act 16 of 1996 w.e.f. 21.9.1996.

29. Repeal and savings.—(1) On and from the appointed day the enactments specified in the Schedule to this Act shall stand repealed:

Provided that such repeal shall not affect the previous operation of the enactments so repealed and anything done or any action taken (including the districts formed, limits defined, Courts established or constituted, appointments, rules or orders made, functions assigned, powers granted, seals or forms prescribed, jurisdictions defined or vested and notifications or notices issued by or under the provisions thereof) shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the corresponding provisions of this Act and shall continue in force unless and until superseded by anything done or any action taken under this Act.

¹[(1A) Notwithstanding anything in sub-section (1) or in any other law, any reference in any law or instrument to a Civil Court shall be deemed to be a reference to the corresponding Civil Court deemed to be established under this Act as specified in section 12 or to such Civil Court established under this Act, as the case may be.]¹

1. Inserted with retrospective effect by Act 11 of 1965 w.e.f. 1.7.1964 by notification. Text of the notification is at the end of the Act.

(2) Notwithstanding anything in sub-section (1) or any other provision of this Act or in any enactment repealed by sub-section (1) or in any other law or provision having the force of law,—

(a) all suits and proceedings (other than appeals and proceedings connected therewith) pending before any Court which under this Act have to be instituted or commenced in another Court, shall, on the appointed day, stand transferred to such other Court, and shall be continued and disposed of by such other Court in accordance with law as if such suits and proceedings had been instituted or commenced in such other Court;

(b) in respect of suits and proceedings referred to in clause (a),—

(i) of which the amount or value of the subject matter does not exceed ten thousand rupees, no appeal shall lie to the District Court but shall lie to the Civil Judge;

(ii) of which the amount or value of the subject matter exceeds ten thousand rupees but is less than twenty thousand rupees, no appeal shall lie to the High Court but shall lie to the District Court;

(c) appeals and proceedings connected therewith, pending before the High Court which under this Act have to be preferred to a Court of Civil Judge or District Court, shall, save in the cases specified in clause (d), on the appointed day, stand transferred to the Court of the Civil Judge or the District Court, as the case may be, and shall be disposed of by such Court in accordance with law as if such appeals or proceedings had been preferred to such Court of the Civil Judge or the District Court;

(d) appeals and proceedings connected therewith pending before the High Court from the decrees and orders passed by a Subordinate Judge or a Civil Judge in the Mysore Area, or a Subordinate Judge in the ¹[Gulbarga Area]¹ and ¹[Mangalore and Kollegal Area]¹, in original suits and proceedings of a civil nature of which the amount or value of the subject matter is less than twenty thousand rupees, shall stand transferred to the District Court and shall be disposed of by such Court in accordance with law as if such appeals or proceedings had been preferred to such Court;

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 1.11.1973.

(e) appeals and proceedings connected therewith pending before a District Court from the decrees or orders passed by a Munsiff in the ¹[Gulbarga Area]¹ and the Coorg District or a District Munsiff in the ¹[Mangalore and Kollegal Area]¹ shall, on the appointed day, stand transferred to the Court of the Civil Judge and shall be disposed of by such court in accordance with law as if such appeals or proceedings had been preferred to such Court;

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 1.11.1973.

²[(ee) appeals and proceedings connected therewith pending before a District Court from the decrees and orders passed by a Civil Judge (Junior Division), other than a Joint Civil Judge (Junior Division) appointed or deputed to assist in the Court of a Civil Judge (Senior Division) under section 23 of the Bombay Civil Courts Act, 1869, shall, on the date of commencement of the ¹[Karnataka]¹ Civil Courts (Amendment) Act, 1965, stand transferred to the Court of the Civil Judge, and shall be disposed of by such Court in accordance with law as if such appeals or proceedings had been preferred to such Court;]²

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 1.11.1973.

2. Inserted by Act 11 of 1965 w.e.f. 1.6.1965.

(f) in respect of all suits or proceedings disposed of before the appointed day by,—

(i) a Munsiff in the Mysore Area, ¹[Gulbarga Area]¹ and Coorg District,

(ii) a District Munsif in the ¹[Mangalore and Kollegal Area]¹; and

(iii) a Civil Judge (Junior Division) in the ¹[Belgaum Area]¹, no appeal shall lie to the District Court but an appeal shall lie to the Court of the Civil Judge under this Act;

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 1.11.1973.

(g) in respect of all suits or proceedings disposed of before the appointed day, by a Subordinate Judge in the Mysore Area, no appeal shall lie to the District Court but an appeal shall lie to the Court of the Civil Judge;

(h) in respect of all suits or proceedings disposed of before the appointed day of which the amount or value of the subject matter does not exceed ten thousand rupees by a Subordinate Judge in the ¹[Gulbarga Area]¹ or the ¹[Mangalore and Kollegal Area]¹, no appeal shall lie to the Court of the Civil Judge but an appeal shall lie to the District Court;

1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 1.11.1973.

(i) in respect of all suits or proceedings disposed of before the appointed day of which the amount or value exceeds ten thousand rupees but is less than twenty thousand rupees,-

(i) by any Court other than a District Court, no appeal shall lie to the High Court, but an appeal shall lie to the District Court; and

(ii) by a District Court, an appeal shall lie to the High Court;

(j) if in respect of any suit or proceedings disposed of before the appointed day, an appeal lies to the District Court instead of an appeal to the High Court, the period of limitation for preferring the appeal to the District Court shall be the same as for preferring the appeal to the High Court.

(3) If there be any doubt as to which Court any suit, appeal or proceeding shall stand transferred or as to which Court any appeal shall be preferred in accordance with the provisions of sub-section (2) the Court designated by the High Court shall be the Court to which such suit, appeal or proceeding shall be transferred or such appeal shall be preferred, and the decision of the High Court shall be final.

30. Substitution of the expression “Civil Judge” and “Munsiff” for other expressions in certain laws in force.—In any law or rule, notification or order in force, for the expressions in column (1) below, the expressions in the corresponding entry in column (2) shall be substituted:—

Column (1)	Column (2)
Civil Judge (Senior Division)	... Civil Judge.
Subordinate Judge	... Civil Judge.
Civil Judge (Junior Division)	... Munsiff.
District Munsiff	... Munsiff.

¹[30A. Substitution of the expression “Civil Judge (Senior Division)”, “Civil Judge (Junior Division)”, “Court of Civil Judge (Senior Division)”, “Court of Civil Judge (Junior Division)” for the expressions in certain laws in force.—Unless the context otherwise requires, in any law in force or rule, notification or order made there under, for the expressions in column (1) below, the expressions in the corresponding entry in column (2) shall be substituted, namely:—

Column (1)	Column (2)
Court of Civil Judge or Civil Judge's Court	Court of Civil Judge (Senior Division)
Civil Judge	Civil Judge (Senior Division)
Munsiff, Munsiff's Court	Civil Judge (Junior Division) Court of Civil Judge (Junior Division).

30B. Construction of references to Civil Judge, Court of the Civil Judge, Munsiff and Munsiff's Court in any judgement and decree etc.—Unless the context otherwise requires, any reference made to “Civil Judge”, “Court of the Civil Judge”, “Munsiff” or “Munsiff's Court” in any judgement, decree, order or other instrument, prior to the date of commencement of the Karnataka Civil Courts (Amendment) Act, 1996, shall respectively be construed as reference to “Civil Judge (Senior Division)”, “Court of Civil Judge (Senior Division)”, “Civil Judge (Junior Division)” and “Court of Civil Judge (Junior Division).]¹

1. Inserted by Act 16 of 1996 w.e.f. 21.9.1996.

SCHEDULE

(See section 29).

1. The Bombay Civil Courts Act, 1869 (Act 14 of 1869).
2. The Madras Civil Courts Act, 1873 (Act 3 of 1873).
3. The Mysore Civil Courts Act, 1883 (Act 1 of 1883).
4. The Hyderabad Civil Courts Act, 1954 (Act 36 of 1954).
5. The Coorg Courts Act, 1948 (Coorg Act 2 of 1948).

* * * *

NOTIFICATIONS**I****Bangalore, dated 19th May, 1964 [No. HD 51 CAD 64.]**

S. O. 725.—In exercise of the powers conferred by sub-section (3) of section 1 of the Mysore Civil Courts Act, 1964 (Mysore Act 21 of 1964) the Government of Mysore hereby appoints the 1st day of July 1964 as the date on which the said Act shall come into force.

By Order and in the name of the Governor of Mysore,

(S. D. NAYAK)

Under Secretary.

(Published in the Karnataka Gazette, PART IV—2C(ii), dated 21st May 1964, p. 1437.)

II**Bangalore, dated 18th May, 1965 [No. LAW 162 CET 65.]**

S. O. 2456.—In exercise of the powers conferred by sub-section (2) of Section 1 of the Mysore Civil Courts (Amendment) Act, 1965 (Mysore Act No. 11 of 1965), the Government of Mysore hereby appoints the First day of June 1965 as the date on which the said Act shall come into force.

By Order and in the name of the Governor of Mysore,

(H. K. ANANTHASUBBA RAO)

Under Secretary.

(Published in the Karnataka Gazette, PART IV—2C(ii), dated 27th May 1965, p. 1267.)

III**Bangalore, dated 2nd September, 1978.[No. LAW 155 LCE 77]**

S. O. 2291.—In exercise of the powers conferred by sub-section (2) of Section of the Karnataka Civil Courts (Amendment) Act, 1976 (Karnataka Act No. 81 of 1976), the Government of Karnataka, hereby appoints the First day of October, 1978 as the date on which the provisions other than section 2 of the Act, shall come into force.

By Order and in the name of the Governor of Karnataka,

(C. K. RAMU)

*Under Secretary to Government,
Department of Law and Parliamentary Affairs.*

IV

Bangalore, dated 18th January, 1979 [No. LAW 151 LCE 78]

S. O. 258.—In exercise of the powers conferred by sub-section (2) of Section 1 of the Karnataka Civil Courts (Second Amendment) Act, 1978 (Karnataka Act No. 28 of 1978), the Government of Karnataka, hereby appoint 1st day of February 1979 as the date on which the provisions of the said Act, shall come into force.

By Order and in the name of the Governor of Karnataka,

(C. K. RAMU)

*Under Secretary to Government,
Department of Law and Parliamentary
Affairs. (Administration)*

V

Bangalore, dated 10th November, 1980 [No. LAW 247 LCE 80]

S. O. 2714.—In exercise of the powers conferred by sub-section (2) of Section 1 of the Bangalore City Civil Court Act, 1979 (Karnataka Act 13 of 1980), the Government of Karnataka hereby appoints the seventeenth day of November, 1980 for the purpose of the said sub-section.

By Order and in the name of the Governor of Karnataka,

(B. NAGESHA RAO)

*Deputy Secretary to Government,
Department of Law and Parliamentary Affairs
(Administration)*

* * * *

KARNATAKA ACT NO. 26 of 2007
THE KARNATAKA HIGH COURT AND CERTAIN OTHER LAWS
(AMENDMENT) ACT, 2007
Arrangement of Sections

Sections:

1. Short title and commencement
2. Amendment of Karnataka Act 5 of 1962
3. Amendment of Karnataka Act 11 of 1964
4. Amendment of Karnataka Act 21 of 1964
5. Pending cases not to be affected

STATEMENT OF OBJECTS AND REASONS

Amending Act 26 of 2007.— The pecuniary jurisdiction of the Courts of Civil Judge (Junior Division), Civil Judge (Senior Division), Small Causes Courts and District Courts and of High Court was fixed long back, at a time when the value of the properties was far below their present value. In view of the appreciable increase in the value of properties, litigants are forced to approach higher courts, instead of lower courts as before, for getting necessary reliefs.

Keeping in view the increase in the value of properties in rupee value and increase in banking and business activities, it is proposed to increase the pecuniary jurisdiction of courts.

Hence the Bill.

[L.A Bill No. 34 of 2007]

[Entry 65 of List II of the Seventh Schedule to the Constitution of India.]

Karnataka Act No. 26 of 2007
(First Published in the Karnataka Gazette Extra-ordinary on the
twenty eighth day of August 2007)

**THE KARNATAKA HIGH COURT AND CERTAIN OTHER LAWS (AMENDMENT) ACT,
2007**

(Received the assent of the Governor on the twenty second day of August 2007)

An Act further to amend the Karnataka High Court Act, 1961. The Karnataka Small Causes Courts Act, 1964, and the Karnataka Civil Courts Act, 1964.

Whereas it is expedient further to amend the Karnataka High Court Act, 1961 (Karnataka Act 5 of 1962), the Karnataka Small Causes Courts Act, 1964 (Karnataka Act 4 of 1964) and the Karnataka Civil Courts Act, 1964 (Karnataka Act 21 of 1964) for the purposes hereinafter appearing,

Be it enacted by the Karnataka State Legislature in the Fifty-eighth year of the Republic of India, as follows:

1. Short title and commencement.- (1) This Act may be called the Karnataka High Court and Certain Other Laws (Amendment) Act, 2007.

(2) It shall come into force at once.

2. Amendment of Karnataka Act 5 of 1962.- In the Karnataka High Court Act, 1961 (Karnataka Act 5 of 1962) in section 5, in clause (i), for the words "of which is rupees three lakhs or more" the words "which exceeds fifteen lakh rupees " shall be substituted.

3. Amendment of Karnataka Act 11 of 1964.- In the Karnataka Small Causes Courts Act, 1964 (Karnataka Act 11 of 1964) in section 8, for sub-section (2), the following shall be substituted, namely-

"(2) Subject to the exception specified in the schedule and to the provisions of any law for the time being in force, all suits of civil nature of which the value does not exceed "one lakh rupees" in Bangalore City, "twenty five thousand rupees" in other places, shall be cognizable by a court of small causes."

4. Amendment of Karnataka Act 21 of 1964.- In the Karnataka Civil Court Act, 1964 (Karnataka Act 21 of 1964),-

- (i) in section 17, for the words "fifty thousand rupees" the words "five lakh rupees" shall be substituted.
- (ii) In sub-section (1), of section 19, for the words "is less than one lakh rupees", the words "does not exceed ten lakh rupees " shall be substituted.
- (iii) For section 22, the following shall be substituted, namely-

"22. Power to invest the court of the Civil Judge (Senior Division) with small cause powers- (1) The High Court, may by notification, invest within such limits, as it shall from time to time, determine, the court of a civil Judge (Senior Division) with jurisdiction for the trial of suits cognizable by a court of small causes up to twenty five thousands rupees.

(2) The High Court, may by notification, withdraw or alter, whenever it thinks fit, such jurisdiction of the court of the civil judge (Senior Division) so invested.

5. Pending cases not to be affected.- Notwithstanding anything containing in this Act, all suits, appeals or revision and other proceedings connected therewith pending before the High Court, District Court, Court of Civil Judge, (Senior Division), Civil Judge (Junior Division) and small causes court, On the date of commencement of this Act shall be continued and disposed of by the respective courts in which they are pending as if the amendment made under this Act has not been made.

By Order and in the name of the
Governor of Karnataka

G.K. BOREGOWDA
Secretary to Government,
Department of Parliamentary Affairs
and Legislation

ನಿರ್ದೇಶಕರು, ಮುದ್ರಣ, ಲೇಖನ ಸಾಮಗ್ರಿ ಮತ್ತು ಪ್ರಕಟಣೆಗಳ ಇಲಾಖೆ, ಬೆಂಗಳೂರು.

KARNATAKA ACT NO. 21 OF 2009

(First published in the Karnataka Gazette Extra-ordinary
on the Twenty Eighth day of August, 2009)

THE KARNATAKA CIVIL COURTS (AMENDMENT) ACT, 2009

Arrangement of Sections

Sections:

1. Short title and commencement
2. Amendment of Sections 2, 3, 6,7, 8, 9, 13, 16, 17, 19, 20, 21, 23, 23A, 24, 25, 26, 27 and 28
3. Substitution of Sections 30-A and 30-B

STATEMENT OF OBJECTS AND REASONS

Amending Act 21 of 2009.- The first National Judicial Pay Commission has requested the High Courts and State Governments/Union Territories Administration to make necessary amendments to the term Civil Judge (Junior Division) and Civil Judge (Senior Division) mentioned in the respective enactments, rules, regulations, circulars etc., Therefore, it is considered necessary to amend the Karnataka Civil Courts Act, 1964, to implement the above recommendations.

Hence, the Bill.

(LA Bill No.28 of 2009, File No.DPAL 31 Shasana 2008)

(Entry 65 of List II of the Seventh Schedule to the Constitution of India.)

KARNATAKA ACT NO. 21 OF 2009

(First published in the Karnataka Gazette Extra-ordinary
on the Twenty Eighth day of August, 2009)

THE KARNATAKA CIVIL COURTS (AMENDMENT) ACT, 2009

(Received the assent of the Governor on the Twenty Sixth day of August, 2009)

An Act further to amend the Karnataka Civil Courts Act, 1964.

Whereas it is expedient further to amend the Karnataka Civil Courts Act, 1964 (Karnataka Act 21 of 1964) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the Sixtieth year of the Republic of India, as follows:-

1. Short Title and Commencement.- (1) This Act may be called the Karnataka Civil Courts (Amendment) Act, 2009.

(2) It shall come into force at once.

2. Amendment of Sections 2, 3, 6,7, 8, 9, 13, 16, 17, 19, 20, 21, 23, 23A, 24, 25, 26, 27 and 28.- In the Karnataka Civil Courts Act, 1964 (Karnataka Act 21 of 1964) (hereinafter referred to as the Principal Act), in sections 2, 3, 6,7, 8, 9, 13, 16, 17, 19, 20, 21, 23, 23A, 24, 25, 26, 27 and 28,-

- (i) for the words “Civil Judge (Senior Division)”, the words “Senior Civil Judge” and for the words “Court of a Civil Judge (Senior Division), the words “Court of a Senior Civil Judge” shall be substituted;
- (ii) for the words “Civil Judge (Junior Division)”, the words “ Court of a Civil Judge (Junior Division)”, and for the words “Civil Judge” and “Court of a Civil Judge” shall respectively be substituted;

3. Substitution of Sections 30-A and 30-B.- For section 30-A and 30-B of the Principal Act, the following shall be substituted, namely:-

“30-A. Substitution of the expressions “Senior Civil Judge”, “Civil Judge”, “Court of Senior Civil Judge”, “Court of Civil Judge”, for the expressions in certain laws in force.- Unless the context otherwise requires, in any law in force or rule, notification or order made thereunder, for the expressions in column (1) below, the expressions in the corresponding entry in column (2) shall be substituted, namely:-

Column (1)	Column (2)
Court of Civil Judge or Civil Judges Court or Court of Civil Judge (Senior Division)	Court of Senior Civil Judge
Civil Judge or Civil Judge (Senior Division)	Senior Civil Judge
Munsiff or Civil Judge (Junior Division)	Civil Judge
Munsiff’s Court or Court of Civil Judge (Junior Division)	Court of Civil Judge

“30-B. Construction of references to Civil Judge, Court of Civil Judge or Civil Judges Court or Court of Civil Judge (Senior Division), Munsiff and Munsiff’s Court, Civil Judge (Junior

Division) and Court of Civil Judge (Junior Division) in any judgment and decree etc., – unless the context otherwise requires, any reference made to in any judgment, decree, order or other instrument prior to the date of commencement of the Karnataka Civil Courts (Amendment) Act, 2009 to,-

- (i) “Civil Judge (Senior Division)” shall be construed as reference to “Senior Civil Judge” and “Court of Civil Judge” or “Civil Judges Court” or “Court of Civil Judges (Senior Division)” shall be construed as reference to “Court of Senior Civil Judge”;
- (ii) “Munsiff” “Civil Judge (Junior Division)” shall be construed as reference to “Civil Judge” and “Munsiff’s Court” “Court of Civil Judge (Junior Division)” shall be construed as reference to “Court of Civil Judge”.

By order and in the name of the Governor of Karnataka,

G.K. BOREGOWDA

Secretary to Government

Department of Parliamentary Affairs and Legislation