

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.