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# The Gujarat Government Gazette

## EXTRAORDINARY

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Separate paging is given to this Part in order that it may be filed as a separate compilation.

### PART IV

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The following Act of the Gujarat Legislature, having been assented to by the President on the 4th April 1961, is hereby published for general information :—

AKBAR S. SARELA,  
Joint Secretary to Government of Gujarat,  
Legal Department.

#### GUJARAT ACT No. X OF 1961

( First published, after having received the assent of the President in the " Gujarat Government Gazette " on the 14th April 1961 )

An Act to repeal the Rules made under Tharay No. 299, dated the 7th January 1904, of the former State of Bhavnagar and to provide for the disposal of pending proceedings ( including appeals ) instituted under the said Rules and for purposes connected with the matters aforesaid.

It is hereby enacted in the Twelfth Year of the Republic of India as follows :—

1. (1) This Act may be called the Bhavnagar Mercantile Disputes Settlement Rules ( Repealing and Consequential Provisions ) Act, 1961. Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Repeal of Bhavnagar Mercantile Disputes Settlement Rules and provision for disposal of pending cases.

2. (1) Tharav No. 299, dated the 7th of January 1904, made by the Ruler of the former State of Bhavnagar, as amended by Tharav No. 740, dated the 24th May 1904, and further amended by Orders No. C/2P(2) 1216, dated the 1st February 1949, and No. CB/III/6066, dated the 21st June 1950, of the former Government of Saurashtra, is hereby repealed, and the Rules relating to the adjudication of disputes therein contained ( hereinafter in this Act called " the Rules " ) shall cease to have effect.

(2) All proceedings specified in Part I of the Schedule, instituted or purported to be instituted under the Rules, and pending before the Port Officer, Bhavnagar, on the date of the commencement of this Act, shall stand transferred to the court of the Civil Judge ( Senior Division ), Bhavnagar, and the said court shall dispose of such proceedings in accordance with the provisions of the Code of Civil Procedure, 1908, and all other laws relating to such disputes, as if they had been originally instituted in that court.

of 1908

(3) All appeals specified in Part II of the Schedule, instituted under the Rules and pending before the Collector of the Bhavnagar district on the date of the commencement of this Act, shall stand transferred to the District Court, Bhavnagar, and the said court shall dispose of such appeals in accordance with the provisions of the Code of Civil Procedure, 1908 and all other laws relating to such disputes as if the appeals had been preferred to it from original decrees.

V of 1908.

Jurisdiction exercised by Civil Court saved.

3. Nothing in this Act shall affect, —

(a) the validity or invalidity of the institution, continuance or disposal of these proceedings, or the appeals aforesaid, before or by any of the authorities under the Rules ;

(b) the institution, continuance or disposal of any proceedings in respect of any dispute of the nature described in the Rules, which after the commencement of the State of Saurashtra ( Application of Central and Bombay Acts ) Ordinance, 1948, are instituted in any Civil Court, and no such proceedings shall be called in question on the ground only that they should have been adjudicated under the Rules.

Sau. Ord. No. XXV of 1948.

### SCHEDULE

#### PART I

*Cases filed under Tharav No. 299, dated the 7th January 1904, of the former State of Bhavnagar and pending with the Port Officer, Port Bhavnagar.*

Sr. No.	Case No. and Samvat year	Names of the Parties		Amount claimed
		Plaintiff	Defendant	
1	2	3	4	5
				Rs. a. p.
1	6/2004	Patel Kalidas Bhagwan	.. The New Dholera Steam-ship Co.	1,284 0 0
2	19/2004	Gordhan Govindji	.. Do.	1,383 0 0

Sr. No.	Case No. and Samvat year	Names of the Parties		Amount claimed
		Plaintiff	Defendant	
1	2	3	4	5
				Rs. a. p.
3	20/2004	Hargovind Parshottam ..	The New Dholera Steamship Co.	214 1 6
4	28/2004	Shah Ramniklal Muljibhai ..	Do.	1,329 0 0
5	33/2004	Jivanlal Vithaldas ..	Do.	1,619 2 3
6	3/2005	Jivraj Khimehand ..	Do.	70 0 0
7	22/2004	Hargovind Prabhashanker ..	Dorabshaw Khurshedji and Sons.	475 10 3
8	9/2005	Amritlal Sukhlal ..	The Bombay Steam Navigation Co. Ltd.	472 14 9
9	11/2005	Amulakh Ratilal ..	Do.	215 0 0
10	13/2005	Amulakh Vithaldas ..	Do.	41 8 0
11	16/2005	Shah Amulakh Ratilal ..	Do.	154 0 0
12	17/2005	Do. ..	Do.	51 0 0
13	18/2005	Damodar Savailal ..	Do.	935 14 3
14	19/2005	Do. ..	Do.	205 5 0
15	20/2005	Bhat Hargovind Prabhashanker ..	Do.	85 8 0
16	21/2005	Do. ..	Do.	112 11 0
17	22/2005	Do. ..	Do.	168 12 0
18	23/2005	Do. ..	Do.	131 8 0
19	25/2005	Shah Jethalal Bhagwan ..	Do.	286 8 0
20	26/2005	Durlabhadas Vallabhadas ..	Do.	71 8 9
21	27/2005	Tajbhai Jivaji ..	Do.	200 0 0
22	29/2005	Mehta Jethalal Kunvarji (Vahivatdar Vrajlal Jethalal) ..	Do.	267 8 0
23	30/2005	Messrs. Prataprai & Co. ..	The Bombay Steam Navigation Co. Ltd.	153 0 0
24	31/2005	Nathubhai Devchand (Vahivatdar Jivraj Nathubhai) ..	Do.	119 0 0
25	33/2005	Bhuralal E. I. Ranchhod ..	Do.	1,060 0 0
26	35/2005	Mohanlal Gagajibhai ..	Do.	755 10 0
27	39/2005	Jivraj Nathubhai ..	The Scindia Steam Navigation Co. Ltd.	215 10 0
28	40/2005	Vinal Motor House, Manager, Dhanjibhai Damodar. ..	The Bombay Steam Navigation Co. Ltd.	426 2 0
29	42/2005	Saurashtra Chopda Bhandar ..	Do.	422 2 6

Sr. No.	Case No. and Samvat year	Names of the Parties		Amount claimed
		Plaintiff	Defendant	
1	2	3	4	5
				Rs. a. p.
30	43/2005	Parekh Babubhai Prabhubhai	The Bombay Steam Navigation Co. Ltd.	603 14 0
31	29/2004	Tandel Gordhan Kana	.. Prakash & Co.	40 4 0
32	32/2004	Babulal Jivanlal	.. The Bharat Line Ltd.	141 4 0
33	28/2005	Kathiawad Motor Sales and Service.	.. Do.	30 12 0
34	34/2005	Gordhan Govindji	.. Do.	1,292 0 0
35	17/2004	Tandel Bava Naran	.. Ramniklal Manekchand.	277 0 0
36	2/2002	Bhavnagar Danapith Vepari Mandal.	Tandel Babul Vashram.	323 3 6

PART II

*Appeals filed under Tharav No. 299, dated the 7th January 1904, of the former State of Bhavnagar and pending with the Collector of the District of Bhavnagar.*

Sr. No.	Appeal No. and Samvat year	Names of the Parties		Amount claimed
		Appellant	Respondent	
1	2	3	4	5
				Rs. a. p.
1	12/97	M/s. Lyonel Edwards Ltd.	M/s. Nanchand Anandji M/s. Dorabshaw Khurshedji & Sons.	53 0 6
2	11/97	Do.	.. M/s. Harjivan Dipchand M/s. Dorabshaw Khurshedji.	130 15 9
3	10/97	Do.	.. Narshidas Jagjivandas Dorabshaw B. Khurshedji.	58 13 6
4	9/97	Do.	.. Narshidas Meghji Bali Bros. M/s. Dorabshaw B. Khurshedji.	228 0 6
5	13/97	Do.	.. Jagjivan Ujamshi M/s. Rali Bros.	100 0 0
6	19/98	M/s. Bombay Steam Navigation Co. Ltd.	Memon Haji Jusab Haji Mahomed.	12 8 0
7	20/98	Do.	.. Do.	25 8 0
8	56/99	Do.	.. Nanchand Anandji	24 12 0
9	35/2004	Do.	.. Mahamedali Dosaji	265 3 0
10	36/2004	Do.	.. Talakchand Zaver	952 0 0
11	93/1953	Malabar Steamship Co. Ltd.	Prataprai & Co.	225 0 0